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THE MINISTRY.

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Lord Chancellor	Lord Cottenham.
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First Lord of the Admiralty	Lord Minto.
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Foreign Secretary	Viscount Palmerston.
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NOT OF THE CABINET.

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Under-Secretary of the Colonies	Sir George Grey.

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Lord-Advocate for Scotland - - - - Mr. Murray.
Solicitor-General for Scotland - - - - Mr. Cuninghame.
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Solicitor-General for Ireland - - - - Mr. Richards.

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Lord Steward - - - - - - - - Duke of Argyll.
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ROLL

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Hayes Viscount Doneraile. *(Elected for Ireland.)*

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WILLIAM Lord BAGOT.
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FLETCHER Lord GRANTLEY.
GEORGE Lord RODNEY.
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JOHN Lord WODEHOUSE.
JOHN Lord NORTHWICK.
THOMAS ATHERTON Lord LILFORD.
THOMAS Lord RIBBLESDALE.
JOHN Lord FITZGIBBON. *(E. of Clare.)*
EDWARD WADDING Lord DUNSANY. *(Elected for Ireland.)*
JOHN Lord CARBERY. *(Elected for Ireland.)*
JOHN Ld. FARNHAM. *(Elect. for Ireland.)*
JAMES Lord DUFFERIN and CLANEBOYE. *(Elected for Ireland.)*
HENRY Lord DUNALLEY. *(Elected for Ireland.)*
CHARLES Lord MOORE. *(Marquess of Drogheda.)*
JOHN LOFTUS Lord LOFTUS. *(Marquess of Ely.)*
JOHN Lord CARYSFORT. *(Earl of Carysfort.)*
WILLIAM Lord ALVANLEY.
GEORGE Lord ABERCROMBY.
ALLEYNE Lord ST. HELEN'S.
JOHN THOMAS Lord REDESDALE.
GEORGE Lord RIVERS.
EDWARD Lord ELLENBOROUGH.
CHARLES GEORGE Lord ARDEN.
GEORGE AUGUSTUS FREDERICK CHAS. Lord SHEFFIELD. *(Earl of Sheffield.)*
CHARLES NOEL Lord BARHAM.
DAVID MONTAGU Lord ERSKINE.
HOWE PETER Lord MONT EAGLE. *(Marquess of Sligo.)*
ARCHIBALD WILLIAM Lord ARDROSSAN. *(Earl of Eglintoun.)*
JAMES Lord LAUDERDALE. *(Earl of Lauderdale.)*
GEORGE Lord GRANARD. *(Earl of Granard.)*
HUNGERFORD Lord CREWE.
JOHN Lord PONSONBY of IMOKILLY.
ALAN LEGGE Lord GARDNER.
THOMAS Lord MANNERS.
JOHN Lord HOPETOUN and NIDDRY. *(Earl of Hopetoun.)*

Thomas Lord Lynedoch.

Rowland Lord Hill.

George Lord Dalhousie. *(Earl of Dalhousie.)*

George Lord Meldrum. *(Earl of Aboyne.)*

George Lord Ross. *(Earl of Glasgow.)*

John Willoughby Lord Grinstead. *(In another place as Earl of Enniskillen.)*

Edmund Henry Lord Foxford. *(In another place as Earl of Limerick.)*

William Lord Melbourne. *(Viscount Melbourne.)*

Francis Almeric Lord Churchill.

William George Lord Harris.

Algernon Lord Prudhoe.

Charles Lord Colchester.

John William Robert Lord Ker. *(Marquess of Lothian.)*

Francis Nathaniel Lord Minster, *(Marquess Conyngham.)*

James Lord Ormonde. *(Marquess of Ormonde.)*

Francis Lord Wemyss.

Robert Lord Clanbrassil. *(Earl of Roden.)*

George Lord Kingston. *(In another place as Earl of Kingston.)*

Edward Michael Lord Silchester.

James Lord Glenlyon.

William Lord Maryborough.

Thomas Henry Lord Oriel. *(Viscount Ferrard.)*

Thomas Henry Lord Ravensworth.

Thomas Lord Delamere.

John George Weld Lord Forester.

Ulysses Lord Downes. *(Elected for Ireland.)*

Nicholas Lord Bexley.

Robert Francis Lord Gifford.

Percy-Clinton-Sydney Lord Penshurst. *(Viscount Strangford.)*

William Lord Tadcaster. *(In another place as Marquess of Thomond.)*

Ulic John Lord Somerhill. *(Marquess of Clanricarde.)*

James Lord Wigan. *(Earl of Balcarres.)*

Thomas Lord Ranfurly. *(Earl of Ranfurly.)*

Charles Lord Farnborough.

George Lord De Tabley.

James Archibald Lord Wharncliffe.

Charles Lord Feversham.

Charles Rose Lord Seaford.

John Singleton Lord Lyndhurst.

James Lord Fife. *(Earl of Fife.)*

John Henry Lord Tenterden.

William Conyngham Lord Plunket.

Thomas Lord Melros. *(Earl of Haddington.)*

Henry Lord Cowley.

Charles Lord Stuart de Rothesay.

William Lord Heytesbury.

Archibald John Lord Rosebery. *(Earl of Rosebery.)*

Richard Lord Clanwilliam. *(Earl of Clanwilliam.)*

Edward Lord Skelmersdale.

Thomas Lord Wallace.

William Draper Lord Wynford.

Henry Lord Brougham and Vaux.

William George Lord Kilmarnock. *(Earl of Erroll.)*

Arthur James Lord Fingall. *(Earl of Fingall.)*

William Philip Lord Sefton. *(Earl of Sefton.)*

Nathaniel Lord Clements. *(Earl of Leitrim.)*

George William Fox Lord Rossie. *(Lord Kinnaird.)*

Henry Lord Dover.

Thomas Lord Kenlis. *(Marquess of Headfort.)*

John Chambre Lord Chaworth. *(Earl of Meath.)*

George Lord Dunmore. *(Earl of Dunmore.)*

George James Lord Ludlow. *Earl Ludlow.)*

Robert Montgomery Lord Hamilton. *(Lord Belhaven and Stenton.)*

John Francis Lord Howden.

William Lord Panmure.

George Warwick Lord Poltimore.

Edward Pryce Lord Mostyn.

William Fitzhardinge Lord Segrave.

Arthur Lord Templemore.

William Lewis Lord Dinorben.

Valentine Browne Lord Cloncurry.

James Lord De Saumarez.

FRANCIS GODOLPHIN Lord GODOLPHIN.
LUCIUS Lord HUNSDON. *(Viscount Falkland.)*
CHARLES CALLIS Lord WESTERN.
CHARLES Lord SOLWAY. *(Marquess of Queensberry.)*
THOMAS Lord DENMAN.
JOHN WILLIAM Lord DUNCANNON.
WILLIAM Lord FITZGERALD.
JAMES Lord ABINGER.
PHILIP CHARLES Lord DE L'ISLE and DUDLEY.
ALEXANDER Lord ASHBURTON.
CHARLES Lord GLENELG.
EDWARD JOHN Lord HATHERTON.
JOHN Lord STRAFFORD.
ARCHIBALD Lord WORLINGHAM. *(In another place as Earl of Gosford.)*
CHARLES CHRIST. Lord COTTENHAM.
HENRY Lord LANGDALE.

MEM.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

HOUSE OF COMMONS,

BEING THE

SECOND SESSION OF THE TWELFTH PARLIAMENT OF THE UNITED KINGDOM OF

GREAT BRITAIN AND IRELAND,

APPOINTED TO MEET AT WESTMINSTER, 4TH FEBRUARY, 1836, IN THE

SIXTH YEAR OF

WILLIAM THE FOURTH.

(Corrected to the First Day of Meeting.)

Abercromby, rt. hon. Jas.	*Edinburgh*
Acheson, viscount	*Armagh, County*
Adam, Admiral Charles	*Clackmannan*
Aglionby, Henry Aglionby	*Cockermouth*
Agnew, sir Andrew, bt.	*Wigtonshire*
Ainsworth, Peter	*Bolton*
Alford, lord	*Bedfordshire*
Alsager, Richard	*Surrey, East*
Alston, Rowland	*Hertfordshire*
Andover, viscount	*Malmsbury*
Angerstein, John	*Greenwich*
Anson, lieut. gen. sir George	*Lichfield*
Anson, hon. lt.-col. G.	*Stoke-upon-T.*
Arbuthnot, hon. lt. gen.	*Kincardineshire*
Archdall, lt. gen.	*Fermanagh, Co.*
Ashley, viscount	*Dorsetshire*
Astley, sir Jacob,	*Norfolk, West*
Attwood, Matthias	*Whitehaven*
Attwood, Thomas	*Birmingham*
Bagot, hon. William	*Denbighshire*
Bagshaw, John	*Sudbury*
Baillie, colonel Hugh D.	*Honiton*
Bailey, Joseph	*Worcester, City*
Bainbridge, Edward T.	*Taunton*
Baines, Edward	*Leeds*
Baldwin Dr. Herbert	*Cork, City*
Balfour, Thomas	*Orkney*
Ball, Nicholas	*Clonmel*
Bannerman, Alexander	*Aberdeen*
Barclay, Charles	*Surrey, West*
Barclay, David	*Sunderland*
Barham, John	*Kendal*
Baring, Francis	*Thetford*
Baring, Henry Bingham	*Marlborough*
Baring, Thomas	*Yarmouth*
Baring, Francis Thornhill	*Portsmouth*
Baring, hon. William B.	*Winchester*
Barnard, Edward G.	*Greenwich*
Barneby, John	*Droitwich*
Barron, Henry Winston,	*Waterford, City*
Barry, Garret Standish	*Cork Co.*
Bateson, sir R. bt.	*Londonderry Co.*
Beauclerk, Major Aubrey W.	*Surrey*
Beaumont, Thos. W.	*Northumberland*
Beckett, sir John bart.	*Leeds*
Belfast, lord	*Antrim, County*
Bell, Matthew	*Northumberland, South*
Bellew, sir Patrick, bart.	*Louth, Co.*
Bellew, Richard M.	*Louth*
Benett, John	*Wiltshire, South*
Bentinck, lord Geo.	*Lynn Regis*
Bentinck, lord William	*Glasgow*
Beresford, vice-ad. sir J. P.	*Chatham*
Berkeley, hon. Craven F.	*Cheltenham*
Berkeley, hon. capt. F. F.	*Gloucester*
Berkeley, hon. G. C.	*Gloucesters.*
Bernal, Ralph	*Rochester*
Bethell, Richard	*Yorkshire, E. R.*
Bewes, Thomas	*Plymouth*
Biddulph, Robert	*Hereford, City*
Bish, Thomas	*Leominster*
Blackburn, John Ireland	*Warrington*
Blackburne, John	*Huddersfield*
Blackstone, William S.	*Wallingford*
Blake, Martin J.	*Galway*
Blamire, William	*Cumberland, East*
Blunt, sir Chas. Richard	*Lewes*
Bodkin, John J.	*Galway, County*
Boldero, capt. Henry G.	*Chippenham*
Bolling, William	*Bolton*
Bonham, Fras. R.	*Harwich*
Borthwick, Peter	*Evesham*
Bowes, John	*Durham, South*
Bowring, J. L. L. D.	*Kilmarnock B.*
Brabazon, sir William J. bart.	*Mayo C.*
Bradshaw, James	*Berwick*
Brady, Dennis C.	*Newry*
Branston, Thomas W.	*Essex, South*
Bridgeman, Hewitt	*Ennis*
Brocklehurst, John, jun.	*Macclesfield*
Brodie, William B.	*Salisbury*
Brotherton, Joseph	*Salford*
Browne, Dominick	*Mayo, County*
Brownrigg, John S.	*Boston*
Bruce, lord Ernest	*Marlborough*
Bruce, Charles L. C.	*Inverness Burghs*
Brudenell, lord	*Northamptonshire, N.*
Bruen, rt. hon F.	*Carlow, Burgh.*
Bruen, colonel Henry	*Carlow, County*
Buckingham, James Silk	*Sheffield*

Bulkeley, sir R. B. W. bt.	*Anglesey*
Buller, Charles, jun.	*Liskeard*
Buller, Edward	*Staffordshire, North*
Buller, sir John Y. bart.,	*Devon, South*
Bulwer, Edward E. L.	*Lincoln*
Bulwer, Henry L.	*Marylebone*
Burdett, sir Francis, bt.	*Westminster*
Burdon, Will. W.	*Weymouth*
Burrell, sir Chas. M., bt.	*New Shoreham*
Burton, Henry	*Beverley*
Butler, hon. Col. Pierce	*Kilkenny Co.*
Buxton, Thos. Fowell	*Weymouth*
Byng, George	*Middlesex*
Byng, hon. George	*Poole*
Calcraft, John H.	*Wareham*
Callaghan, Daniel	*Cork City*
Campbell, sir H. P. H. bt.	*Berwick Co.*
Campbell, sir John	*Edinburgh*
Campbell, Walter F.	*Argyllshire*
Canning, sir Stratford,	*Lynn Regis*
Carter, John B.	*Portsmouth*
Cartwright, Will. R.	*Northamptonsh.*
Castlereagh, visct.	*Down Co.*
Cave, Otway Robt.	*Tipperary, Co.*
Cavendish, hon. Chas. C.	*Sussex, E.,*
Cavendish, hon. G. H.	*Derbyshire, N.*
Cayley, Edward S.	*Yorkshire, N. R.*
Chalmers, Patrick A.	*Montrose Burghs*
Chandos, marquess of	*Buckinghams.*
Chaplin, Thomas	*Stamford*
Chapman, Montague L.	*Westmeath, C.*
Chapman, Aaron	*Whitby*
Charlton, Edm. L.	*Ludlow*
Chetwynd, capt. William F.	*Stafford*
Chichester, John P. B.	*Barnstaple*
Chichester, Arthur	*Honiton*
Childers, John Walbanke	*Malton, Y.*
Chisholm, Alex. Wm.	*Invernesshire*
Churchill, lord C. S.	*Woodstock*
Clay, William	*Tower Hamlets*
Clayton, sir W.	*Marlow*
Clements, viscount	*Leitrim Co.*
Clerk, sir George,	*Edinburgh County,*
Clive, hon. Robert H.	*Shropshire*
Clive, lord Powis	*Ludlow*
Clive, Edward B.	*Hereferd City*
Cockerell, sir Charles, bt.	*Evesham*
Codrington, Christ. W.	*Gloucestershire*
Codrington, sir Edw.	*Devonport*
Colborne, Nich. W. R.	*Wells*
Cole, hon. Arthur H.	*Enniskillen*
Cole, visct.	*Fermanagh, County*
Collier, John	*Plymouth*
Compton, Henry C.	*Hampshire, South*
Conolly, col. Edward M.	*Donegal, Co.*
Conyngham, lord A. D.	*Canterbury*
Cookes, Thomas H.	*Worcestershire, E.*
Cooper, Joshua Edward	*Sligo, Co.*
Cooper, hon. Ant. A. C.	*Dorchester*
Coote, sir Chas. H. bt.	*Queen's Co.*
Copeland, alderman W. T.	*Coleraine*
Corbett, Thos. G.	*Lincolnshire, L. d.*
Corry, hon. Henry T. L.	*Tyrone Co.*
Cowper, hon. Will. F.	*Hertford*
Crawford, Will. S.	*Dundalk*
Crawford, William	*London, City*
Crawley, Samuel	*Bedford*
Crewe, sir Geo., bt.	*Derbyshire, South*
Cripps, Joseph	*Cirencester*
Crompton, Samuel	*Thirsk*
Curteis, Edward B.	*Rye*
Curteis, Herbert B.	*Sussex, East*
D'Albiac, sir J. C.	*Ripon*
Dalmeny, lord	*Stirling Burghs*
Damer, Geo. L. D.	*Portarlington*
Dare, Robert	*Essex, South*
Darlington, earl	*Salop, South*
Davenport, John	*Stoke-upon-Trent*
Denison, John E.	*Nottinghamshire, S.*
Denison, Wm. Joseph	*Surrey W.*
Dennistoun, Alex.	*Dumbartonshire*
Dick, Quintin	*Maldon*
Dillwyn, Lewis W.	*Glamorganshire*
Divett, Edward	*Exeter*
Dobbin, Leonard	*Armagh Town*
Donkin, lt.-g. sir R. S.,	*Berwick-upon-T.*
Dottin, Abel R.	*Southampton*
Dowdeswell, Will.	*Tewkesbury*
Duffield, Thomas	*Abingdon*
Dugdale, William S.,	*Warwickshire, N.*
Dunbar, George	*Belfast*
Duncombe, hon. Arth.	*East Retford*
Duncombe, Thomas S.	*Finsbury*
Duncombe, hon. W.	*Yorkshire, N. R.*
Dundas, hon. Thos.	*Richmond*
Dundas, hon. John C.	*York*
Dundas, capt. J. W. D., R. N.	*Devizes*
Dunlop, capt. John	*Ayrshire*
East, Jas. B.	*Winchester*
Eastnor, visct.	*Reigate*
Eaton, Rich. J.	*Cambridgeshire*
Ebrington, visct.	*Devonshire, N.*
Edwards, John	*Montgomery*
Egerton, lord F. L.	*Lancashire, S.*
Egerton, sir Phil. de M. G. bt.	*Cheshire, S.*
Egerton, William T.	*Cheshire, N.*
Ellice, rt. hon. Edward	*Coventry*
Elphinstone, Howard	*Hastings*
Elley major-gen. sir John	*Windsor*
Elwes, John Payne	*Essex, North*
Entwistle, John	*Rochdale*
Estcourt, Thos. G. B.	*Oxford University*
Estcourt, Thos. Henry S. B.	*Devizes*
Etwall, Ralph	*Andover*
Euston, earl of	*Thetford*
Evans, col. De Lacey	*Westminster*
Evans, George	*Dublin County*
Ewart, William	*Liverpool*

Fancourt, Major Charles	*Barnstaple*
Fazakerley, J. N.	*Peterborough*
Fector, John Minet	*Dover*
Feilden, William	*Blackburn*
Fellowes, hon. N.	*Devonshire, North*
Fergus, John S.,	*Kirkaldy District*
Ferguson, rt. hon. Cutlar	*Kirkcudbright*
Ferguson, sir R. A., bt.	*Londond. City*
Ferguson, capt. George	*Banffshire*
Ferguson, gen. sir R. C.	*Nottingham*
Fergusson, Robert	*Haddingtonshire*
Fielden, John Fielden	*Oldham*
Finch, George	*Stamford*
Finn, William F.	*Kilkennny Co.*
Fitz-Gibbon, hon. Rich.	*Limerick Co.*
Fitzroy, lt.-col. lord C.,	*Bury St. Edm.*
Fitzsimon, Christopher	*Dublin County*
Fitzsimon, Nicholas	*King's County*
Fleetwood, Peter H.	*Preston*
Fleming, John Willis	*Hants, South*
Foley, Edward Thomas	*Herefordshire*
Folkes, sir Wm. J. H. B. bt.,	*Norfolk, W.*
Follett, sir William Webb	*Exeter*
Forbes, lord	*Longford*
Forbes, William	*Stirlingshire*
Forester, hon. G. C. W.	*Wenlock*
Forster, Chas. S.	*Walsall*
Fort, John	*Clitheroe*
Freemantle, sir Thos. bt.	*Buckingham*
French, Fitzstephen	*Roscommon*
Freshfield, John William	*Penryn*
Gaskell, Daniel	*Wakefield*
Gaskell, James Milnes	*Wenlock*
Geary, sir W. R. P., bt.	*Kent, West*
Gervis, sir Geo. Wm. T.,	*Christchurch*
Gillon, William D.	*Falkirk Burghs*
Gisborne, Thomas	*Derbyshire, North*
Gladstone, Thomas	*Leicester*
Gladstone, William E.	*Newark*
Glynne, sir Steph. R., bt.,	*Flint Boroughs*
Goodricke, sir F. L. bt.,	*Staffordshire, S.*
Gordon, Robert	*Cricklade*
Gordon, capt. hon. Wm.,	*Aberdeenshire*
Gore, William O.	*Shropshire, North*
Goring, Harry Dent	*Shoreham*
Goulburn, rt. hon. Henry	*Camb. Univ.*
Goulburn, serj. Edward	*Leicester*
Graham, rt. hon. sir J. R. G.	*Cumberl., E.*
Grant, hon. col. Francis Wm.,	*Elginshire*
Grattan, Henry	*Meath, County*
Grattan, James F.	*Wicklow, Co.*
Greene, Thomas	*Lancaster*
Greisley, sir Roger, bt.	*Derbyshire*
Greville, hon. sir Chas. J.	*Warwick*
Grey, hon. Charles	*Wycombe*
Grey, sir George, bt.	*Devonport*
Grimston, viscount	*Hertfordshire*
Grimston, hon. Edw. H.	*St. Alban's*
Grosvenor, lord Robert	*Chester*
Grote, George	*London, City*
Guest, Josiah John	*Merthyr Tydvil*
Gully, John	*Pontefract*
Hale, Robert B.,	*Gloucestershire, West*
Halford, Henry,	*Leicestershire, South*
Hall, Benjamin	*Monmouth*
Hallyburton, hon D. G.,	*Forfarshire*
Halse, James	*St. Ives*
Hamilton, lord Claud.	*Tyrone County*
Handley, Henry C.,	*Lincolnshire, South*
Hanmer, sir John, bt.	*Shrewsbury*
Hanmer, lieut.-col. Henry,	*Aylesbury*
Harcourt, George G.	*Oxfordshire*
Hardinge, sir Henry	*Launceston*
Hardy, John	*Bradford*
Harland, William C.,	*Durham City*
Harvey, Daniel W.	*Southwark*
Hastie, James	*Paisley*
Hawes, Benjamin	*Lambeth*
Hawkes, Thomas	*Dudley*
Hawkins, J. H.	*Newport, I. of Wight*
Hay, sir John, bt.	*Peeblesshire*
Hay, lieut-col., sir A. L.,	*Elgin District*
Hayes, sir E. S., bt.,	*Donegal, County*
Heathcoat, John	*Tiverton*
Heathcote, Gilbert J.,	*Lincolnshire South*
Heathcote, sir Gilbert, bt.,	*Rutlandshire*
Hector, Corrithwaite John	*Petersfield*
Heneage, Edward	*Great Grimsby*
Henniker, lord	*Suffolk, East*
Herbert, hon. Sidney,	*Wiltshire, South*
Heron, sir Robert, bt.	*Peterborough*
Herries, rt. hon. John C.	*Harwich*
Hill, sir Rowland, bt.,	*Shropshire, North*
Hill, lord Arthur M. W.	*Down County*
Hindley, Charles	*Ashton*
Hobhouse, sir John C., bt.,	*Nottingham*
Hodges, Thomas Twisden	*Rochester*
Hodges, Thomas L.	*Kent, West*
Hogg, James Weir	*Beverly*
Holland, Edw.	*Worcestershire, East*
Hope, hon. capt. James,	*Linlithgowshire*
Hope, Henry Thomas	*Gloucester*
Horsman, Edward	*Cockermouth*
Hoskins, Kedgwin	*Herefordshire*
Hotham, lord	*Leominster*
Houldsworth, Th.,	*Nottinghamsh., N.*
Howard, hon. Edw. G. G.,	*Morpeth*
Howard, Ralph	*Wicklow County*
Howard, Philip Henry	*Carlisle*
Howick, lord,	*Northumberland, North*
Hoy, James B.	*Southampton*
Hughes, Will. H.	*Oxford, City*
Hume, Joseph	*Middlesex*
Humphery, John	*Southwark*
Hurst, Robert H.	*Horsham*
Hutt, William	*Hull*
Ingham, Robert	*South Shields*
Inglis, sir R. H. bt.,	*Oxford University*

Irton, Samuel	*Cumberland, West*
Jackson, Joseph D. S.	*Bandon*
Jephson Charles D. O.	*Mallow*
Jermyn, earl	*Bury St.Edmunds*
Jervis, John	*Chester*
Johnston, A., jun.,	*St. Andrew's District*
Johnstone, J. J. Hope,	*Dumfriesshire*
Johnstone, sir J. V. B. bt.,	*Scarborough*
Jones, Wilson	*Denbigh*
Jones, capt. Theo.,	*Londonderry, County*
Kavanagh, Thos. B.	*Carlow, County*
Kearsley, John Hodson	*Wigan*
Kemp, Thomas Read	*Lewes*
Kerr, David	*Downpatrick*
Kerrison, sir Edward, bt.	*Eye*
Kerry, earl of	*Calne*
King, Edward Bolton	*Warwick*
Kirke, Peter	*Carrickfergus*
Knatchbull, sir Edward, bt.,	*Kent, E.*
Knight, H. Gally,	*Nottinghamshire, N.*
Knightley, sir C., bt.,	*Northamptons., S.*
Knox, hon. John James	*Dungannon*
Labouchere, Henry	*Taunton*
Lambton, Hedworth	*Durham, N.*
Langton, col. Wm. G.,	*Somersetshire, E.*
Law, hon. C. E.,	*Cambridge University*
Lawson, Andrew,	*Knaresborough*
Leader, J. Temple	*Bridgewater*
Lee, John Lee	*Wells*
Lees, John	*Oldham*
Lefevre, Charles Shaw,	*Hants, North*
Lefroy, rt. hon. LL. D.,	*Dublin Univers.*
Lefroy, Anthony	*Longford, County*
Lemon, sir Charles bt.,	*Cornwall, West*
Lennard, Thomas Barret	*Maldon*
Lennox, lord Arthur	*Chichester*
Lennox, lord John George,	*Sussex, West*
Lewis, Wyndham	*Maidstone*
Lewis, David Stradey	*Carmarthen*
Lincoln, earl of	*Nottinghamshire, S.*
Lister, Ellis Cunliffe	*Bradford*
Loch, James	*Wick Burghs*
Long, Walter	*Wiltshire, North*
Longfield, Richard	*Cork County*
Lopes, sir Ralph, bt.	*Westbury*
Lowther, John Henry	*York, City*
Lowther, hon. col. H. C.,	*Westmoreland*
Lowther, lord visct.	*Westmoreland*
Lucas, Edward	*Monaghan County*
Lushington, rt. hon. S. T.,	*Canterbury*
Lushington, Charles	*Ashburton*
Lushington, Doctor	*Tower Hamlets*
Lygon, hon. Hen. B.,	*Worcestershire, W.*
Lynch, Andrew H.	*Galway Town*
Maclean, Donald	*Oxford City*
Macleod, Roderick	*Sutherland*
Mackenzie, A. S.,	*Ross and Cromarty*
Mackinnon, Wm. Alex.	*Lymington*
Macnamara, maj. Wm. N. jun.,	*Clare*
M'Taggart, John	*Wigton Burghs*
Maher, John	*Wexford*
Mahon, viscount	*Hertford*
Marjoribanks, Stewart	*Hithe*
Mandeville, viscount,	*Huntingdonshire*
Mangles, James	*Guildford*
Manners, lord C.,	*Leicestershire, North*
Marshall, William	*Carlisle*
Marsland, major Thomas	*Stockport*
Marsland, Henry	*Stockport*
Martin, Thomas B.,	*Galway, County*
Martin, John	*Sligo*
Matthew, capt. Geo. B.	*Athlone*
Maule, hon. Fox	*Perthshire*
Maxwell, Henry	*Cavan, County*
Maxwell, John, jun.	*Lanarkshire*
Maunsel, T. P.,	*Northamptonshire, N.*
Methuen, Paul	*Wiltshire, North*
Meynell, capt. Henry, R. N.	*Lisburn*
Miles, Philip John,	*Bristol*
Miles, William	*Somersetshire, East*
Miller, Wm. H.,	*Newcastle-under-Line*
Molesworth, sir W., bt.,	*Cornwall, E.*
Mordaunt, sir J., bt.,	*Warwickshire, S.*
Moreton, hon. A. H.,	*Gloucestershire,E.*
Morgan, C. M. R.	*Brecknock*
Morpeth, lord	*Yorkshire, W. R.*
Morrison, James	*Ipswich*
Mosley, sir Oswald, bt.,	*Staffordshire, N.*
Mostyn, hon. E. M. L.	*Flintshire*
Mullins, hon. Fred. W.,	*Kerry County*
Murray, rt. hon. John A.	*Leith*
Musgrave, sir R. bt.,	*Waterford County*
Nagle, sir Richard, bt.	*Westmeath*
Neeld, Joseph	*Chippenham*
Neeld, John	*Cricklade*
Nicholl, John, jun.	*Cardiff*
Noel, sir G. N., bt.	*Rutlandshire*
Norreys, lord	*Oxfordshire*
North, Frederic	*Hastings*
O'Brien, Cornelius	*Clare*
O'Brien, Wm. Smith,	*Limerick County*
O'Connell, Daniel	*Dublin*
O'Connell, John	*Youghal*
O'Connell, Morgan John,	*Kerry Co.*
O'Connell, Morgan	*Meath County*
O'Connell, Maurice	*Tralee*
O'Conor, Dennis	*Roscommon*
O'Ferrall, Rich. M.,	*Kildare County*
Oliphant, Lawrence	*Perth*
O'Loghlen, serj. Michael,	*Dungarvon*
O'Neil, hon. J. B. R., sen.,	*Antrim Co.*
Ord, William	*Newcastle-upon-Tyne*
Ord, William Henry	*Newport*
Ossulston, lord,	*Northumberland, North*
Oswald, James	*Glasgow*
Owen, sir John, bt.	*Pembrokeshire*
Owen, Hugh Owen	*Pembroke*
Packe, Charles William	*Leicester, S.*

Paget, Frederick	*Beaumaris*
Palmer, major-gen. Charles	*Bath*
Palmer, Robert	*Berkshire*
Palmerston, visct. H. J. T.	*Tiverton*
Parker, John	*Sheffield*
Parker, Montague E. N.,	*Devonshire, S.*
Parnell, sir Henry bart.	*Dundee*
Parrot, Jasper	*Totness*
Parry, Love Parry Jones	*Carnarvon*
Pattison, James	*London, City of*
Patten, J. Wilson, esq.	*Lancashire, N.*
Pease, Joseph	*Durham, S.*
Pechell, capt. G. R., R. N.	*Brighton*
Peel, sir Robert bart.	*Tamworth*
Peel, Edmund	*Newcastle-under-Lyne*
Peel, colonel Jonathan	*Huntingdon*
Peel, Will. Yates	*Tamworth*
Pelham, hon. C. A. W.	*Lincons. Lind. div.*
Pelham, J. Cresset	*Shrewsbury*
Pemberton, Thomas	*Ripon*
Pendarves, E. W. W.	*Cornwall, West*
Penruddock, John Hungerford	*Wilton*
Perceval, lt.-col., Alexander,	*Sligo, Co.*
Phillips, Mark	*Manchester.*
Phillips, Charles March	*Leicesters. N.*
Phillips, Geo. Richard	*Kidderminster*
Pigot, Robert	*Bridgenorth*
Pinney, Wm.	*Lyme Regis*
Plumtre, John Pemberton	*Kent, E.*
Plunkett, hon. R. Ed.	*Drogheda*
Polhill, capt. F.	*Bedford*
Pollen, Sir J. W. bart.	*Andover*
Pollington, lord	*Pontefract*
Pollock, sir Frederick	*Huntingdon*
Ponsonby, hon. John Geo. B.	*Derby*
Ponsonby, hon. Wm. F. S.	*Dorsets.*
Potter, Richd.	*Wigan*
Poulter, John Sayer	*Shaftsbury*
Powell, colonel Wm. Ed.,	*Cardiganshire*
Power, James	*Wexford County*
Poyntz, Wm. Stephen	*Midhurst*
Praed, James Blackwell	*Buckinghams.*
Praed, Winthorp Mackworth,	*Yarmouth*
Price, Samuel Grove	*Sandwich*
Price, sir Robert, bart.	*Herefords.*
Price, Richard	*Radnor*
Pringle, Alex.	*Selkirkshire*
Pryme, Geo.	*Cambridge*
Pryse, Pryse	*Cardigan*
Pusey, Philip of Pusey	*Berks.*
Rae, rt. hon. sir Wm., bt.	*Buteshire*
Ramsbottom, John	*Windsor*
Ramsden, John C.	*Malton*
Reid, sir John Rae	*Dover*
Rice, rt. hon. T. Spring	*Cambridge*
Richards, John	*Knaresborough*
Ridley, sir M. W., bt.	*Newcastle-upon-T.*
Rickford, William	*Aylesbury*
Rippon, Cuthbert	*Gateshead*
Robarts, Abraham W.	*Maidstone*
Robinson, George R.	*Worcester, City*
Roche, William	*Limerick*
Roche, David	*Limerick*
Roebuck, John A.	*Bath*
Rolfe, sir Robert M.	*Penryn*
Rooper, John B.	*Huntingdonshire*
Ross, Charles	*Northampton*
Rundle, John	*Tavistock*
Rushbrooke, Robt.	*Suffolk, W.*
Russell, lord Charles J. F.	*Bedfordshire*
Russell, Charles	*Reading*
Russell, lord	*Tavistock*
Russell, lord John	*Stroud*
Ruthven, Edward S.	*Dublin, City*
Ruthven, Edward, jun.	*Kildare, Co.*
Ryle, John	*Macclesfield*
Sanderson, Richard	*Colchester*
Sandon, lord	*Liverpool*
Sanford, Edward A.,	*Somersetshire, W.*
Scarlett, hon. Robt. C.	*Norwich*
Scholefield, Joshua	*Birmingham*
Scott, sir Edward D.	*Litchfield*
Scott, James W.	*Hants, N.*
Scott, lord John	*Roxburghshire*
Scourfield, Will. H.	*Haverfordwest*
Scrope, George P.	*Stroud*
Seale, John Henry	*Dartmouth*
Seymour, lord	*Totness*
Sharpe, gen. Matthew	*Dumfries, &c.*
Shaw, Frederick S.	*Dublin University*
Sheil, Richard L.	*Tipperary Co.*
Sheldon, Edw. R. C.	*Warwickshire S.*
Sheppard, Thomas	*Frome*
Sibthorp, col. Chas. D. W.	*Lincoln*
Simeon, sir Rich. G., bt.	*I. of Wight*
Sinclair, sir George	*Caithness*
Smith, hon. Robert J.	*Wycombe Chipp.*
Smith, Robert V.	*Northampton*
Smyth, sir Geo. H. bart.	*Colchester*
Smith, Ashton T.	*Carnarvonshire*
Smith, Benj.	*Sudbury*
Smith, John Abel	*Chichester*
Smith, Abel	*Hertfordshire*
Somerset, lord Gran.	*Monmouthsh.*
Somerset, lord R. E. H.	*Cirencester*
Speirs, Alex.	*Richmond*
Spry, sir Samuel T.	*Bodmin, Cornwall*
Stanley, Edward	*Cumberland, West*
Stanley, Edward John	*Cheshire, N.*
Stanley, hon. Henry T.	*Preston*
Stanley, lord	*Lancashire, North*
Steuart, Robert	*Haddington, &c.*
Stewart, William Villiers,	*Waterford, Co.*
Stewart, John	*Lymington*
Stewart, Patrick M.	*Lancaster*
Stewart, sir Michael S., bt.	*Renfrewsh.*
Stormont, visct.	*Norwich*
Strickland, sir Geo., bt.	*Yorkshire*

Strutt, Edward	*Derby*
Stuart, lord Dudley C.	*Arundel*
Stuart, lord Pat. J. H. C.	*Ayr, &c.*
Sturt, Hen. C.	*Dorsetshire*
Sullivan, Richard	*Kilkenny*
Surrey, earl of	*Sussex*
Talbot, Christ. R. M.	*Glamorganshire*
Talbot, John H.	*New Ross*
Talfourd, Thos. N.	*Reading*
Tancred, Henry W.	*Banbury*
Tennent, James E.	*Belfast*
Tennyson D'Eyncourt, rt. hon. Charles	*Lambeth*
Thomas, col. Henry	*Kinsale*
Thompson, Paul B.	*Yorkshire*
Thompson, William	*Sunderland*
Thompson, col. Thos. P.	*Hull*
Thomson, rt. hon. Chas. P.	*Manchester*
Thornley, Thos.	*Wolverhampton*
Tooke, William	*Truro*
Tollemache, hon. A. G.,	*Grantham*
Townley, Richard G.	*Cambridgesh.*
Townshend,rt.hn.ld.J.N.B.	*Halleston*
Tracy, Charles H.	*Tewksbury*
Trelawney, sir W. L. S., bt.	*Cornwall*
Trench, sir Fred. W.	*Scarboro'*
Trevor, hon. A.	*Durham*
Trevor, hon. Geo. R.	*Caermarthenshire*
Trowbridge, sir E. T., bt.	*Sandwich*
Tulk, Chas. A.	*Poole*
Turner, William	*Blackburn*
Twiss, Horace	*Bridport*
Tynte, Charles Kemys	*Bridgewater*
Tynte, Charles J. K.	*Somersetshire*
Tyrell, sir John T., bt.	*Essex*
Vaughan, sir Robt. W. bt.	*Merionethsh.*
Vere, col. sir Chas. B.	*Suffolk*
Verner, col. Williams	*Armagh Co.*
Verney, sir Harry, bt.	*Buckingham*
Vernon, Granville H.	*East Retford*
Vesey, hon. Thos.	*Queen's County*
Villiers, Chas. P.	*Wolverhampton*
Vivian, Chas. C.	*Bodmyn*
Vivian, John E.	*Truro*
Vivian, John H.	*Swansea*
Vyvyan, sir Richard R., bt.	*Bristol*
Wakley, Thomas	*Finsbury*
Walker, Charles A.	*Wexford*
Walker, Richard	*Bury*
Wall, Charles B.	*Guildford*
Wallace, Robert	*Greenock*
Walpole, lord	*Norfolk, East*
Walter, John	*Berkshire*
Warburton, Henry	*Bridport*
Ward, Henry G.	*St. Alban's*
Wason, Rigby	*Ipswich*
Welby, Glynne E.	*Grantham*
Wemyss, James	*Fife*
Westenra, hon. H. R.	*Monaghan*
Westenra, hon. J. C.	*King's County*
Weyland, Richard	*Oxfordshire*
Whalley, sir Sam. S. B.	*Marylebone*
White, Samuel	*Leitrim Co.*
Whitmore, Thomas C.	*Bridgenorth*
Wigney, Isaac N.	*Brighton*
Wilbraham, hon. George,	*Cheshire, S.*
Wilbraham, hon. Rich. B.	*Lancashire*
Wilde, serj. Thos.	*Newark*
Wilkins, Walter	*Radnorshire*
Wilks, John	*Boston*
Williams, Robert	*Dorchester*
Williams, Thomas Peers	*Marlow*
Williams, William A.	*Monmouthsh.*
Williams, Will.	*Coventry*
Williams, sir James	*Carmarthen*
Williamson, sir Hedw., bt.	*Durham, N.*
Wilmot, sir John E., bt.	*Warwickshire*
Wilson, Henry	*Suffolk*
Winnington, sir Thos., bt.	*Bewdley*
Winnington, Henry J.	*Worcestershire*
Wodehouse, Edm.	*Norfolk*
Wood, Charles	*Halifax*
Wood, Matthew	*London*
Wood, col. Thomas	*Brecknockshire*
Wortley, hon. Jas. S.	*Halifax*
Woulfe, serj. Stephen	*Cashel*
Wrightson, Will. B.	*Northallerton*
Wrottesley, sir John, bt.	*Staffordshire*
Wyndham, Wadham	*Salisbury*
Wynn, rt. hon. C. W. W.	*Montgomerysh.*
Wynn, sir Watkin W. bt.	*Denbighshire*
Wyse, Thos.	*Waterford City*
Yorke, Elliot. Thos.	*Cambridgeshire*
Young, George F.	*Tynemouth*
Young, John	*Cavan*
Young, sir Will. L.	*Buckinghamshire*

SPEAKER,

The Right Hon. James Abercromby.

HOUSE OF COMMONS,

IN ALPHABETICAL ORDER OF COUNTIES, BOROUGHS, &c.

ENGLAND AND WALES.

Abingdon.
Thomas Duffield.

Andover.
Ralph Etwall,
Sir John W. Pollen, bart.

Anglesey.
Sir R. B. W. Bulkeley, bt.

Arundel.
Lord Dudley C. Stuart.

Ashburton.
C. Lushington.

Ashton-under-Line.
Charles Hindley.

Aylesbury.
William Rickford,
Lieut.-col. W. H. Hanmer.

Banbury.
Henry Wm. Tancred.

Barnstaple.
John P. Bruce Chichester,
Chas. St. John Fancourt.

Bath.
General Charles Palmer,
John Arthur Roebuck.

Beaumaris.
Captain Frederick Paget.

Bedfordshire.
Lord C. J. Fox Russell,
Lord Alford.

Bedford.
Capt. Frederick Polhill,
Samuel Crawley.

Berkshire.
Robert Palmer,
Philip Pusey,
John Walter.

Berwick-upon-Tweed.
Sir R. S. Donkin, K. C. B.
J. Bradshaw.

Beverley.
Henry Burton,
J. W. Hogg.

Bewdley.
Sir T. E. Winnington, bt.

Birmingham.
Thomas Attwood,
Joshua Scholefield.

Blackburn.
William Feilden,
William Turner.

Bodmyn.
Major Vivian,
Sir Samuel Thomas Spry.

Bolton-le-Moors.
William Bolling,
P. Ainsworth.

Boston.
John Wilks,
J. S. Brownrigg.

Bradford.
Ellis Cunliffe Lister,
John Hardy.

Brecknockshire.
Colonel Thomas Wood.

Brecon.
C. M. R. Morgan.

Bridgenorth.
Robert Pigot,
Thos. Charlton Whitmore.

Bridgewater.
Chas. K. Kemeys Tynte,
J. Temple Leader.

Bridport.
Henry Warburton,
Horace Twiss.

Brighthelmstone.
Geo. Richd. Pechell, esq.
Isaac Newton Wigney.

Bristol.
Sir R. Rawl. Vyvyan, bt.
P. J. Miles.

Buckinghamshire.
Marquess of Chandos,
Sir William Young,
J. B. Praed.

Buckingham.
Sir Thomas Fremantle, bt.
Sir Harry Verney, bart.

Bury.
Richard Walker.

Bury St. Edmund's.
Lord Charles Fitzroy.
Earl Jermyn,

Calne.
Earl of Kerry.

Cambridgeshire.
Richard Greaves Townley,
Eliot Thomas Yorke,
Richard Jefferson Eaton.

Cambridge.
Rt. hon. Thos. Spring Rice
George Pryme.

Cambridge University.
Rt. hon. Henry Goulburn.
Hon. C. E. Law.

Canterbury.
Lord Albert Conyngham,
Stephen R. Lushington.

Cardiff.
John Nicholl.

Cardiganshire.
Col. William Edw. Powell.

Cardigan.
Pryse Pryse.

Carlisle.
Philip Henry Howard,
William Marshall.

Carmarthenshire.
Hon. G. Rice Trevor,
Sir James Williams, bart.

Carmarthen.
David Lewis.

Carnarvonshire.
Thos. Assheton Smith.

Carnarvon.
Love Parry Jones Parry.

Chatham.
Sir J. P. Beresford, bt. K.C.B.

Cheltenham.
Hon. Craven F. Berkeley.

Cheshire.
(Northern Division.)
Edward John Stanley,
William Tatton Egerton.

(Southern Division.)
Hon. George Wilbraham,
Sir P. de Malp. G. Egerton, bt.

Chester.
Lord Robert Grosvenor,
John Jervis.

Chichester.
Lord Arthur Lennox,
John Abel Smith.
Chippenham.
Joseph Neeld,
Henry George Boldero.
Christchurch.
Sir G. W. F. Gervis.
Cirencester.
Joseph Cripps.
Lord R. E. Somerset.
Clitherow.
John Fort.
Cockermouth.
Edward Horsman,
Henry Aglionby Aglionby.
Colchester.
Richard Sanderson,
Sir G. H. Smith, bt.
Cornwall.
(Eastern Division.)
Sir Wm. Molesworth, bart.,
Sir Wm. Lewis S. Trelawny.
(Western Division.)
Sir Chas. Lemon, bart.,
Edward W. W. Pendarves.
Coventry.
William Williams,
Rt. Hon. Edward Ellice.
Cricklade.
Robert Gordon,
John Neeld.
Cumberland.
(Eastern Division.)
Rt.hon. Sir J. G. Graham, bt.
William Blamire.
(Western Division.)
Edward Stanley,
Samuel Irton.
Dartmouth.
John Henry Seale.
Denbighshire.
Sir W. W. Wynn,
Hon. W. Bagot.
Denbigh.
Wilson Jones.
Derbyshire.
(Northern Division.)
Hon. G. Cavendish,
Thomas Gisborne.
(Southern Division.)
Sir Roger Griesley, bt.
Sir George Crewe, bt.
Derby.
Edward Strutt,
Hon. G. Ponsonby.
Devizes.
Capt. J. W. D. Dundas,
Thos. H. S. B. Estcourt.
Devonport.
Sir Edward Codrington,
Sir George Grey, bart.
Devonshire.
(Northern Division.)
Hon. Newton Fellowes,
Viscount Ebrington.
(Southern Division.)
Montagu E. N. Parker
Sir J. Y. Buller, bt.
Dorchester.
Hon. A. H. Ashley-Cooper,
Robert Williams.
Dorsetshire.
Lord Ashley,
Hon. W. F. S. Ponsonby,
H. C. Sturt.
Dover.
Sir John Rae Reid, bart.
John Minet Fector.
Droitwich.
John Barneby.
Dudley.
Thomas Hawkes.

Durham.
(Northern Division.)
Sir H. Williamson, bart.
Hedworth Lambton.
(Southern Division.)
Joseph Pease, jun.
John Bowes.
Durham.
Will. Chas. Harland,
Hon. A. Trevor.
Essex.
(Northern Division.)
Sir John Tyssen Tyrell, bt.
John Payne Elwes.
(Southern Division.)
Robert Westley Hall Dare,
T. W. Bramston.
Evesham.
Sir Chas. Cockerell, bart.,
P. Borthwick.
Exeter.
Sir W. W. Follett, knt.
Edward Divet.
Eye.
Sir Edward Kerrison, bart.
Finsbury.
Thos. Slingsby Duncombe,
Thomas Wakley.
Flintshire.
Hon. E. M. Lloyd Mostyn.
Flint.
Sir Stephen R. Glynne, bt.
Frome.
Thomas Sheppard.
Gateshead.
Cuthbert Rippon.
Glamorganshire.
Christopher R. M. Talbot,
Lewis W. Dillwyn.
Gloucestershire.
(Eastern Division.)
Hon. A. H. Moreton,
C. W. Codrington.
(Western Division.)
Hon. G. C. G. Berkeley,
Robert B. Hall.
Gloucester.
Henry Thomas Hope,
Hon. F. F. Berkeley.
Grantham.
Glynne Earle Welby,
Hon. A. G. Tollemache
Great Grimsby.
E. Heneage.
Greenwich.
Edward George Barnard,
J. Angerstein.
Guildford.
James Mangles,
Charles Baring Wall.
Halifax.
Charles Wood,
Hon. J. Stuart Wortley.
Halleston.
Marq. Townshend.
Hampshire.
(Northern Division.)
Charles Shawe Lefevre,
James Winter Scott.
(Southern Division.)
John Fleming,
H. C. Compton.
Harwich.
Rt. hon. J. C. Herries,
F. R. Bonham.
Hastings.
Frederick North,
Howard Elphinston.
Haverfordwest.
W. H. Scourfield.
Herefordshire.
Kedgwin Hoskins,
Edward T. Foley,
Sir Robert Price, bart.
Hereford.
Edward Bolton Clive,
Robert Biddulph.
Hertfordshire.
Lord Viscount Grimston,
Abel Smith,
Rowland Alston.
Hertford.
Viscount Mahon,

Hon. W. F. Cowper.
Honiton.
Colonel Bailey,
A. Chichester.
Horsham.
Robert Henry Hurst.
Huddersfield.
John Blackburne.
Huntingdonshire.
Viscount Mandeville,
John Bonfoy Rooper
Huntingdon.
Jonathan Peel,
Sir Frederick Pollock.
Hythe.
Stewart Marjoribanks.
Ipswich.
James Morrison
Rigby Wason.
Kendal.
John Barham.
Kent.
(*Eastern Division.*)
Sir Edw. Knatchbull, bart.,
John Pemberton Plumptre.
(*Western Division.*)
Sir W. Geary, bt.
Thomas Law Hodges.

Kidderminster.
G. R. Phillips.
King's Lynn.
Ld. G. F. C. Bentinck,
Rt. hon. Sir S. Canning.
Kingston-upon-Hull.
William Hutt,
Thomas P. Thompson.
Knaresborough.
Andrew Lawson,
John Richards.
Lambeth.
Rt. Hon. C. Tennyson, D'Eyncourt.
Benjamin Hawes, jun.
Lancashire.
(*Northern Division.*)
Lord Stanley,
John Wilson Patten.
(*Southern Division.*)
Lord Francis Egerton,
Hon. R. B. Wilbraham.
Lancaster.
Thomas Greene,
Patrick Maxwell Stewart.
Launceston.
Rt. hon. Sir H. Hardinge.
Leeds.
Rt. hon. Sir John Beckett,
Edward Baines.
Leicestershire.
(*Northern Division.*)
Lord C. Manners,
Chas. March Phillips.
(*Southern Division.*)
Henry Halford,
C. W. Parke.
Leicester.
Sergeant Goulburn,
Thomas Gladstone.
Leominster.
Rt. hon. Lord Hotham,
Thomas Bish.
Lewes.
Sir Chas. Richard Blunt,
Thomas Read Kemp.
Lichfield.
Sir George Anson,
Sir Edward D. Scott.
Lincolnshire.
(*Parts of Lindsey.*)
Hon. C. A. W. Pelham,
T. Corbett.
(*Parts of Kesteven and Holland.*)
Henry Handley,
Gilbert John Heathcote.
Lincoln.
Colonel Sibthorp,
Edward G. E. L. Bulwer.
Liskeard.
Charles Buller, jun.
Liverpool.
William Ewart,
Viscount Sandon.
London.
Matthew Wood,
James Pattison,
William Crawford,
George Grote.
Ludlow.
Viscount Clive,
Lechmere Charlton.
Lyme Regis.
William Pinney.
Lymington.
John Stewart,
W. A. Mackinnon.
Macclesfield.
John Ryle,
John Brocklehurst, jun.
Maidstone.
Wyndham Lewis,
Abraham W. Robarts.
Maldon.
Quintin Dick,
Thos. Barrett Lennard.
Malmesbury.
Viscount Andover.
Malton.
J. W. Childers,
J. C. Ramsden.
Manchester.
Rt. hon. C. P. Thomson,
Mark Phillips.
Marlborough.
Lord E. A. C. B. Bruce,
Henry B. Baring.
Great Marlow.
Sir W. Clayton, bt.
Thomas Peers Williams.
Marylebone.
Sir S. Whalley, knt.
H. L. Bulwer.
Merionethshire.
Sir Robert W. Vaughan, bt.
Merthyr Tydvil.
Josiah John Guest.
Middlesex.
George Byng,
Joseph Hume.
Midhurst.
W. S. Poyntz.
Monmouthshire.
Right hon. Lord G. C. H. Somerset,
Wm. Addams Williams.
Monmouth.
Benjamin Hall.
Montgomeryshire.
Rt. hon. C. W. W. Wynn.
Montgomery.
John Edwardes.
Morpeth.
Hon. E. G. Howard.
Newark-upon-Trent.
Wm. Ewart Gladstone,
Sergeant Wilde.
Newcastle-under-Line.
William Henry Miller,
Edmund Peel.
Newcastle-upon-Tyne.
W. Ord,
Sir Matthew W. Ridley.
Newport.
John Heywood Hawkins,
Wm. Henry Ord.
Norfolk.
(*Eastern Division.*)
Edmund Wodehouse,
Lord Walpole.
Western Division.
Sir W. J. H. B. Folkes, bt.
Sir Jacob Astley, bart.
Northallerton.
W. B. Wrightson.

NORTHAMPTONSHIRE.
(*Northern Division.*)

T. P. Maunsell,
Lord Brudenell.

(*Southern Division.*)

William R. Cartwright,
Sir C. Knightley.

NORTHAMPTON.
Robert Vernon Smith,
Charles Ross.

NORTHUMBERLAND.
(*Northern Division.*)

Viscount Howick,
Lord Ossulston.

(*Southern Division.*)

Matthew Bell,
Thomas W. Beaumont.

NORWICH.
Viscount Stormont,
Hon. R. C. Scarlett.

NOTTINGHAMSHIRE.
(*Northern Division.*)

Henry Gally Knight
Thomas Houldsworth.

(*Southern Division.*)

Earl of Lincoln,
John Evelyn Denison.

NOTTINGHAM.
Sir R. Crawford Ferguson,
Sir J. C. Hobhouse, bt.

OLDHAM.
John Fielden,
John Frederick Lees

OXFORDSHIRE.
Lord Norreys,
George Granville Harcourt,
Richard Weyland.

OXFORD, CITY.
W. Hughes Hughes,
Donald Maclean.

OXFORD UNIVERSITY.
Thomas G. B. Estcourt,
Sir R. Harry Inglis.

PEMBROKESHIRE.
Sir John Owen, bart.

PEMBROKE.
Hugh Owen Owen.

PENRYN AND FALMOUTH.
J. W. Freshfield,
Sir Robert Monsey Rolfe.

PETERBOROUGH.
Sir Robert Heron, bart.
John Nicholas Fazakerley.

PETERSFIELD.
C. Hector.

PLYMOUTH.
John Collier,
Thomas Bewes.

PONTEFRACT.
John Gully,
Lord Pollington.

POOLE.
Right hon. G. S. Byng,
C. A. Tulk.

PORTSMOUTH.
John Bonham Carter,
Francis Thornhill Baring,

PRESTON.
Peter Hesketh Fleetwood,
Hon. Henry Thos. Stanley.

RADNORSHIRE.
Walter Wilkins.

NEW RADNOR.
Richard Price.

READING.
Sergeant Talfourd,
Charles Russell.

REIGATE.
Viscount Eastnor.

RETFORD EAST.
Granville Harcourt Vernon,
Hon. Arthur Duncombe.

RICHMOND.
Hon. Thos. Dundas,
A. Speirs.

RIPON.
Sir J. C. Dalbiac,
T. Pemberton.

ROCHDALE.
J. Entwistle.

ROCHESTER.
Ralph Bernal,
Thos. Twisden Hodges.

RUTLANDSHIRE.
Sir Gerard Noel, bart.
Sir Gilbert Heathcote, bart.

RYE.
Edward Barrett Curteis.

SALFORD.
Joseph Brotherton.

SALISBURY.
William Bird Brodie,
Wadham Wyndham.

SALOP, OR SHROPSHIRE.
(*Northern Division.*)

Sir Rowland Hill, bart.
W. O. Gore.

(*Southern Division.*)

Earl of Darlington,
Hon. Robert H. Clive.

SANDWICH.
S. G. Price,
Sir Edward T. Troubridge.

SCARBOROUGH.
Col. Sir F. Trench,
Sir John V. B. Johnstone.

SHAFTESBURY.
John Sayer Poulter.

SHEFFIELD.
John Parker,
James Silk Buckingham.

SHOREHAM.
Sir Chas. Merrick Burrell
Harry Dent Goring.

SHREWSBURY.
Sir John Hanmer, bart.,
J. Cressett Pelham.

SOMERSETSHIRE.
(*Eastern Division.*)

William Gore Langton,
W. Miles.

(*Western Division.*)

Edward A. Sanford,
Charles John K. Tynte.

SOUTHAMPTON.
James Barlow Hoy,
A. R. Dottin.

SOUTH SHIELDS.
Robert Ingham.

SOUTHWARK.
John Humphery,
D. W. Harvey.

STAFFORDSHIRE.
(*Northern Division.*)

Sir Oswald Moseley, bart.
Edward Buller.

(*Southern Division.*)

Sir John Wrottesley, bart.,
Sir F. L. H. Goodricke.

STAFFORD.
Wm. Fawkener Chetwynd.

STAMFORD.
Thomas Chaplin,
George Finch.

ST. ALBAN'S.
Hon. E. H. Grimston,
Henry G. Ward.

ST. IVES.
James Halse.

STOCKPORT.
Thomas Marsland,
Henry Marsland.

STOKE-UPON-TRENT.
Lieut.-col. George Anson,
John Davenport.

STROUD.
G. P. Scrope,
Lord John Russell.

SUDBURY.
J. Bagshaw,
B. Smith.

Suffolk.

(Eastern Division.)
Lord Henniker,
Sir C. B. Vere.

(Western Division.)
Colonel Rushbrooke,
H. Wilson.

Sunderland.

Alderman Thompson,
D. Barclay.

Surrey.

(Eastern Division.)
Captain Alsager,
Aubrey Wm. Beauclerk.

(Western Division.)
Wm. Joseph Denison,
C. Barclay.

Sussex.

(Eastern Division.)
Hon. Chas. C. Cavendish,
Herbert Barrett Curteis.

(Western Division.)
Lord John G. Lennox.
Earl of Surrey.

Swansey.

John Henry Vivian.

Tamworth.

Sir Robert Peel,
W. Yates Peel.

Tavistock.

Lord Russell,
J. Rundle.

Taunton.

Edward Thos. Bainbridge,
Henry Labouchere.

Tewkesbury.

W. Dowdeswell,
Chas. Hanbury Tracy.

Thetford.

Earl of Euston,
Francis Baring.

Thirsk.

Samuel Crompton.

Tiverton.

John Heathcote,
Viscount Palmerston

Totness.

Lord Seymour,
Jasper Parrot.

Tower Hamlets.

William Clay,
Stephen Lushington.

Truro.

John Ennis Vivian,
William Tooke.

Tynemouth.

George Frederick Young.

Wakefield.

Daniel Gaskell.

Wallingford.

William S. Blackstone.

Walsall.

Chas. Smith Forster.

Wareham.

John Hales Calcraft.

Warrington.

John Ireland Blackburn.

Warwickshire.

(Northern Division.)
Sir John Eardley Wilmot,
W. Stratford Dugdale.

(Southern Division.)
Sir J. Mordaunt, bt.
E. Sheldon.

Warwick.

Hon. Sir C. J. Greville,
Edward Bolton King.

Wells.

John Lee Lee,
N. Ridley Colborne.

Wenlock.

Hon. G. C. W. Forester,
James Milnes Gaskell.

Westbury.

Sir Ralph Lopes, bart.

Westminster.

Sir Francis Burdett, bart.
Colonel Evans.

Westmoreland.

Viscount Lowther,
Hon. Henry Cecil Lowther.

Weymouth.

Thomas Fowell Buxton,
W. W. Burdon.

Whitby.

Aaron Chapman.

Whitehaven.

Matthias Attwood.

Wigan.

J. H. Kearsley,
Richard Potter.

Isle of Wight.

Sir Richard Godin Simeon.

Wilton.

John H. Penruddocke.

Wiltshire.

(Northern Division.)
Paul Methuen,
Walter Long.

(Southern Division.)
John Benett,
Hon. Sidney Herbert.

Winchester.

William Bingham Baring,
James Buller East

Windsor.

John Ramsbottom,
Sir John Elley

Woodstock.

Lord C. S. Churchill.

Wolverhampton.

Thomas Thorneley,
C. Villiers.

Worcestershire.

(Eastern Division.)
E. Holland,
Thomas Henry Cookes.

(Western Division.)
Hon. Henry B. Lygon,
H. J. Winnington.

Worcester.

Geo. R. Robinson,
J. Bailey.

Wycombe.

Hon. Robert John Smith,
Hon. Charles Grey.

Yarmouth.

W. M. Praed,
T. Baring.

Yorkshire.

(North Riding.)
Hon. Wm. Duncombe,
Edward S. Cayley.

(East Riding.)
Richard Bethell,
Paul Beilby Thompson.

(West Riding.)
Viscount Morpeth,
Sir G. Strickland, bt.

York.

Hon. J. C. Dundas,
J. H. Lowther.

SCOTLAND.

Aberdeenshire.

Hon. Wm. Gordon.

Aberdeen.

Alexander Bannerman.

Argyleshire.

W. Campbell.

Ayrshire.

John Dunlop.

Ayr, &c.

Lord P. J. Stuart.

Banfshire.

George Ferguson.

Berwickshire.

Sir H. P. Campbell.

Buteshire.

Sir William Rae, bt.

Caithness-shire.

Sir George Sinclair.

CLACKMANAN AND KINROS-SHIRES.
Charles Adam.
CUPAR, &c.
Andrew Johnston, jun.
DUMBARTONSHIRE.
A. Dennistoun.
DUMFRIES-SHIRE.
John James H. Johnstone.
DUMFRIES, &c.
Matthew Sharpe.
DUNDEE.
Rt. hon. Sir H. Parnell, bt.
DYSART, &c.
John Fergus.
EDINBURGHSHIRE.
Sir George Clerk, bt.
EDINBURGH.
Rt. hon. Jas. Abercromby,
Sir John Campbell.
ELGINSHIRE.
Hon. Francis W. Grant.
ELGIN, &c.
Sir Andrew Leith Hay.
FIFESHIRE.
James Wemyss.
FORFARSHIRE.
Hon. D. G. Haliburton.
GLASGOW.
James Oswald,
Lord W. Bentinck.
GREENOCK.
Robert Wallace.
HADDINGTONSHIRE.
Robert Ferguson.
HADDINGTON, &c.
Robert Stewart.
INVERBERVIE, &c.
Patrick Chalmers.
INVERNESS-SHIRE.
Alexander Wm. Chisholm.
INVERNESS, &c.
Cumming Bruce.
KINCARDINESHIRE.
Hon. Hugh Arbuthnot.
KIRKCUDBRIGHT.
Rt. hon. R. C. Fergusson.
KIRKWALL, &c.
James Loch.
LANARKSHIRE.
John Maxwell.
LEITH, &c.
Rt. hon. J. A. Murray.
LINLITHGOWSHIRE.
Hon. Captain Hope.
LINLITHGOW.
W. D. Gillon.
ORKNEY.
Thomas Balfour.
PAISLEY.
James Hastie.
PEEBLESHIRE.
Sir John Hay, bart.
PERTHSHIRE.
Hon. Fox Maule.
PERTH.
Laurence Oliphant.
RENFREWSHIRE.
Sir M. S. Stewart, bart.
RENFREW, &c.
John Bowring.
ROSS AND CROMARTY-SHIRES.
A. S. Mackenzie.
ROXBURGHSHIRE.
Lord John Scott.
SELKIRKSHIRE.
A. Pringle.
STIRLINGSHIRE.
William Forbes.
STIRLING, &c.
Lord Dalmeny.
SUTHERLANDSHIRE.
Roderick Macleod.
WIGTONSHIRE.
Sir Andrew Agnew, bart.
WIGTON, &c.
J. Mactaggart.

IRELAND.

ANTRIMSHIRE.
Hon. J. B. O'Neil,
Earl of Belfast.
ARMAGHSHIRE.
Wm. Verner,
Viscount Acheson.
ARMAGH.
Leonard Dobbin.
ATHLONE.
Captain Matthew.
BANDON-BRIDGE.
J. D. Jackson.
BELFAST.
James Emerson Tennent,
George Dunbar.
CARLOWSHIRE.
Colonel Bruen,
T. Kavanagh.
CARLOW.
Francis Bruen.
CARRICKFERGUS.
P. Kirke.
CASHELL.
Serjeant Stephen Wolfe.
CAVANSHIRE.
Henry Maxwell,
John Young.
CLARE.
Wm. Nugent M'Namara,
Cornelius O'Brien.
CLONMEL.
Nicholas Ball.
COLERAINE.
Alderman Copeland.
CORKSHIRE.
Richard Longfield,
G. S. Barry.
CORK CITY.
Herbert Baldwin,
Daniel Callaghan.
DONEGALSHIRE.
Sir Edmund S. Hayes, bt.
E. M. Conolly.
DOWNSHIRE.
Lord Arthur Hill.
Viscount Castlereagh.
DOWNPATRICK.
D. Kerr.
DROGHEDA.
Hon. Randall Plunkett.
DUBLINSHIRE.
Christopher Fitzsimon,
George Evans.
DUBLIN CITY.
Daniel O'Connell,
Edward Southwell Ruthven.
DUBLIN UNIVERSITY.
Thomas Lefroy,
Frederick Shaw.
DUNDALK.
W. Sharman Crawford.
DUNGANNON.
Hon. John J. Knox.
DUNGARVAN.
Sergeant O'Loughlen.
ENNIS.
Hewitt Bridgman.
ENNISKILLEN.
Hon. Arthur Henry Cole.
FERMANAGHSHIRE.
Mervyn Archdall,
Viscount Cole.
GALWAYSHIRE.
Thomas B. Martin,
J. J. Bodkin.
GALWAY.
A. H. Lynch,
Martin Joseph Blake.

KERRYSHIRE.
Morgan John O'Connell,
Hon. Frederick William Mullins.

KILDARESHIRE.
E. Ruthven, jun.
Rich. More O'Ferrall.

KILKENNYSHIRE.
Hon. Colonel Butler,
William Francis Finn.

KILKENNY.
Richard Sullivan.

KING'S COUNTY.
Nicholas Fitzsimon,
Hon. J. C. Westenra.

KINSALE.
Colonel Thomas.

LEITRIM.
Lord Clements,
Samuel White.

LIMERICKSHIRE.
Hon. R. Hob. Fitzgibbon,
W. S. O'Brien.

LIMERICK.
William Roche,
David Roche.

LISBURN.
Captain Henry Meynell.

LONDONDERRYSHIRE.
Sir Robert Bateson, bart.
Captain Jones.

LONDONDERRY.
Sir Robert A. Ferguson, bt.

LONGFORDSHIRE.
Lord Viscount Forbes,
A. Lefroy.

LOUTHSHIRE.
Sir P. Bellew,
R. M. Bellew.

MALLOW.
C. D. O. Jephson.

MAYO.
Sir W. Brabazon, bart.
Dominick Browne.

MEATHSHIRE.
Henry Grattan,
Morgan O'Connell.

MONAGHAN.
E. Lucas,
Hon. H. R. Westenra.

NEWRY.
D. C. Brady.

PORTARLINGTON.
Colonel Dawson Damer.

QUEEN'S COUNTY.
Sir Chas. Henry Coote, bt.
Hon. Thomas Vesey.

ROSCOMMONSHIRE.
Fitzstephen French,
O'Connor Don.

NEW ROSS.
John Hyacinth Talbot.

SLIGOSHIRE.
Alexander Perceval,
Edward Joshua Cooper.

SLIGO.
John Martin.

TIPPERARY.
Richard Lawlor Sheil,
R. Otway Cave.

TRALEE.
Maurice O'Connell.

TYRONESHIRE.
Lord C. Hamilton,
Hon. Henry Corry.

WATERFORDSHIRE.
Sir R. Musgrave,
William Villiers Stuart.

WATERFORD CITY.
H. W. Barron,
Thomas Wyse.

WESTMEATH.
Sir Richard Nagle, bart.
Montague L. Chapman.

WEXFORDSHIRE.
J. Maher,
J. Power.

WEXFORD.
Charles Arthur Walker.

WICKLOWSHIRE.
James Grattan,
Ralph Howard.

YOUGHALL.
John O'Connell.

The NUMBER of MEMBERS sent by each County, &c. to Parliament.

Bedfordshire	4
Berkshire	9
Buckinghamshire	11
Cambridgeshire	7
Cheshire	10
Cornwall	14
Cumberland	9
Derbyshire	6
Devonshire	22
Dorsetshire	14
Durham	10
Essex	10
Gloucestershire	13
Hampshire	17
Herefordshire	7
Hertfordshire	7
Huntingdonshire	4
Kent	18
Lancashire	26
Leicestershire	6
Lincolnshire	13
Middlesex	14
Monmouthshire	3
Norfolk	12
Northamptonshire	8
Northumberland	10
Nottinghamshire	10
Oxfordshire	9
Rutlandshire	2
Shropshire	12
Somersetshire	15
Staffordshire	17
Suffolk	11
Surrey	11
Sussex	18
Warwickshire	10
Westmoreland	3
Wiltshire	18
Worcestershire	12
Yorkshire	37
	471
Wales	29
Scotland	53
Ireland	105
Total	658

Members for ENGLAND and WALES	500
SCOTLAND	53
IRELAND	105
TOTAL	658

HANSARD'S
Parliamentary Debates

During the SECOND SESSION *of the* TWELFTH PARLIAMENT
of the United Kingdom of GREAT BRITAIN *and*
IRELAND, *appointed to meet at Westminster,*
4th February, 1836,
in the Sixth Year of the Reign of His Majesty
WILLIAM THE FOURTH.

First Volume of the Session.

HOUSE OF LORDS,

Thursday, February 4, 1836.

OPENING OF THE PARLIAMENT.—THE KING'S SPEECH.] His Majesty went in state this day to the House of Peers, and, the Commons having been summoned to the Bar of the House of Lords, opened the Parliament by delivering the following most gracious Speech:—

"*My Lords and Gentlemen,*

"It is with great satisfaction that I again meet the great Council of the Nation assembled in Parliament. I am ever anxious to avail myself of your advice and assistance, and I rejoice that the present state of public affairs, both at home and abroad, is such as to permit you to proceed without delay or interruption to the calm examination of those measures which will be submitted to your consideration.

"I continue to receive from my Allies, and generally from all Foreign Powers, assurances of their unaltered desire to cultivate with me those friendly relations which it is equally my wish to maintain with them; and the intimate union which happily subsists between this country and France is a pledge to Europe for the continuance of the general peace.

"Desirous on all occasions to use my friendly endeavours to remove causes of disagreement between other Powers, I have offered my mediation in order to compose the difference which has arisen between France and the United States. This offer has been accepted by the King of the French; the answer of the President of the United States has not yet been received; but I entertain a confident hope that a misunderstanding between two nations so enlightened and high-minded, will be settled in a manner satisfactory to the feelings and consistent with the honour of both.

"I have still to lament the continuance of the civil contest in the northern provinces of Spain. The measures which I have taken, and the engagement into which I have entered, sufficiently prove my deep anxiety for its termination; and the prudent and vigorous conduct of the present Government of Spain, inspires me with the hope that the authority of the Queen will soon be established in every part of her dominions; and that the Spanish nation, so long connected by friendship with Great Britain, will again enjoy the blessings of internal tranquillity and union.

"I have given directions that there be laid before you the Treaty, which I have concluded with the Queen of Spain, for the Suppression of the Slave Trade.

"*Gentlemen of the House of Commons,*

"I have directed the Estimates of the year to be prepared and laid before you without delay. They have been framed with the strictest regard to well-considered economy.

"The necessity of maintaining the maritime strength of the country, and of giving adequate protection to the extended commerce of my subjects, has occasioned some increase in the estimates for the naval branch of the public service.

"The state of the Commerce and Manufactures of the United Kingdom is highly satisfactory. I lament that any class of my subjects should still suffer distress; and the difficulties which continue to be felt in important branches of Agriculture may deserve your inquiry, with the view of ascertaining whether there are any measures which Parliament can advantageously adopt for the alleviation of this pressure.

"*My Lords and Gentlemen,*

"I have not yet received the further report of the Commission appointed to consider the state of the several Dioceses of England and Wales. But I have reason to believe that their recommendations upon most of the important subjects submitted to them, are nearly prepared. They shall be laid before you without delay, and you will direct your early attention to the Ecclesiastical Establishment, with the intention of rendering it more efficient for the holy purposes for which it has been instituted.

"Another subject which will naturally occupy you is the state of the Tithe in England and Wales, and a measure will be submitted to you, having for its end the rendering this mode of providing for the Clergy more fixed and certain, and calculated to relieve it from that fluctuation, and from those objections to which it has hitherto been subject.

"The principles of toleration by which I have been invariably guided must render me desirous of removing any cause of offence or trouble to the consciences of any portion of my subjects, and I am, therefore, anxious that you should consider whether measures may not be framed which, whilst they remedy any grievances which affect those who dissent from the doctrine or discipline of the Established Church, will also be of general advantage to the whole body of the community.

"The speedy and satisfactory administration of justice is the first and most sacred duty of a Sovereign, and I earnestly recommend you to consider whether better provisions may not be made for this great purpose in some of the departments of the Law, and more particularly in the Court of Chancery.

"I trust that you will be able to effect a just settlement of the question of Tithe in Ireland upon such principles as will tend at length to establish harmony and peace in that country.

"You are already in possession of the Report of the Commission appointed to inquire into the state of the Municipal Corporations in Ireland, and I entertain the hope that it will be in your power to apply to any defects and evils which may have been shown to exist in those institutions, a remedy founded upon the same principles as those of the Acts which have been already passed for England and Scotland.

"A further Report of the Commission of Inquiry into the condition of the poorer classes of my subjects in Ireland will speedily be laid before you. You will approach this subject with the caution due to its importance and difficulty; and the experience of the salutary effect produced by the Act for the Amendment of the Laws relating to the Poor in England and Wales, may in many respects assist your deliberations.

"I rely upon your prudence and wisdom, and upon your determination to maintain, as well as to amend the laws and institutions of the country; and I commit these questions of domestic policy, to which I have deemed it my duty to direct your attention, into your hands, persuaded that you will so treat them, as to increase the happiness and prosperity, by promoting the religion and morality of my people."

The Commons retired, and the Lords adjourned till five o'clock. At that time their Lordships again met to consider

THE ADDRESS.] The Royal Speech having been read,

The Duke of *Leinster* rose to move an Address in answer to the Speech. He assured their Lordships that it was with very great difficulty he rose to address them; and although he could not plead youth or inexperience of the forms of the House as any excuse, he trusted, notwithstanding, that he should receive that indulgence which it was the invariable custom to extend to Members of their Lordships' House under circumstances similar to those in which he then stood before them. They had that day heard a most gracious Speech from his Majesty—one calculated to diffuse such general satisfaction, that he should best consult their Lordships' convenience, and his own feelings, by adverting but very shortly to the topics it contained. His Majesty in his most gracious Speech had stated, that such was the tranquillity of the country, and the absence of all causes of excitement and apprehension, that Parliament would be enabled to devote its calm and undivided attention to measures of improvement in the condition of the different classes of the community, and in the general institutions of the kingdom. He did not know how it was possible for Parliament to be employed in a manner more acceptable to itself than in the enactment of measures of general benefit to the country. He thought, therefore, that the House could not refuse to concur with his Majesty in rejoicing that they had met under circumstances so auspicious. His Majesty's gracious declaration that he continued to receive assurances of the existence of a friendly feeling towards this country from Foreign Powers, could not fail to be gratifying to all; and most sincerely did he hope that the mediation offered so opportunely between France and the United States of America, and accepted by the former power, might be crowned with success. The prolonged existence of civil war in Spain could not fail to afflict all the well-wishers of that country; but there was good reason to hope that the prompt and vigorous measures taken by the Ministry, to whose hands the destinies of Spain had been committed, would be attended with success. The next topic to which his Majesty had been graciously pleased to advert, related to the estimates for the present year; and it could not fail to be gratifying to their Lordships to entertain a well-founded expectation that they would be framed with every regard to a just economy. They had, indeed, heard from his Majesty that there would be an increase in the estimates for maintaining the maritime strength of the country. He did not apprehend that any augmentation demanded for the efficiency of a force so long regarded as the pride and honour of the country would meet with any serious opposition. Notwithstanding the general prosperity it was painful to reflect that distress did exist in some branches of the national interests. Some branches of agriculture were suffering under depression, and his Majesty had recommended inquiry with the view of ascertaining the causes of that depression. For his own part he did not think that such an inquiry would be attended with much good in the result; but it was, nevertheless, desirable in order to satisfy the minds of the sufferers, and of other persons who might take a different view of the question. The Report of the Commission appointed to consider the state of the several dioceses in England and Wales, was the next topic in his Majesty's Speech. He trusted that when this important document came under their Lordships' notice, it would receive all that consideration to which it was so justly entitled; and that such steps would be taken upon it as would tend to insure the stability, and advance the dignity of the Ecclesiastical Establishment in this country. His Majesty next alluded to a subject, upon which a very considerable portion of his Majesty's subjects entertained deep and decided convictions. It was the subject of Law Reform; and his Majesty was pleased particularly to point their attention to the Court of Chancery.

He apprehended there could be no difference of opinion upon the subject of that Court, the very name of which they must be all aware, created dread and horror in the minds of his Majesty's subjects. Nothing was more calculated to alarm any man than the apprehension of having his affairs thrown into Chancery. It was quite enough to say that reform was necessary in that Court, to have the concurrence of all reflecting persons. The next subject referred to in the Speech from the Throne, related to Tithes in Ireland. Upon this subject he was anxious distinctly to be understood as not intending to cast blame upon any one. He did not mean to indulge in reflections upon former Administrations. He was happy to say that the general aspect of the state of society in that country was one which spoke of peace and tranquillity. The only part of Ireland to which this observation did not apply, was the county of Tipperary; but, for as long as he could remember that country, Tipperary had always been, more or less, in a disturbed state. The rest of Ireland was in a tranquil state; and he trusted from the wise and firm measure of his noble Friend, the Lord-lieutenant of that country, it would continue so. From the inquiries he had made, and from his own personal knowledge, he was enabled to make this statement. It was, therefore, a favourable moment for taking the Tithe Question into consideration, and he hoped this would be done in a calm and even temper, with a view to put an end to all causes of discord. With respect to the Irish Corporations, if it had been found that the same abuses and defects existed as were ascertained to have existed in the Municipal Corporations of this country, he trusted that they would find a remedy by putting those Corporations on the same footing as the Municipal Corporations in England. The next question referred to in the Speech was the necessity of a Poor-Law in Ireland. The report of the Commissioners of Poor-law Inquiry had not yet been fully completed, but it certainly appeared that great distress existed in Ireland. He had resided in that country for twenty-three years, and had paid much attention to the condition of its people, and had the fullest opportunity of observing and inquiring into their condition, and the result was, that, without pledging himself to any more decided opinion on the subject, he was quite convinced that some measure of the kind must be brought forward. He was sure that until some system of Poor-laws was established in Ireland, that country would not be, properly speaking, in a sound and prosperous state. He did not know that it would be necessary for him to trouble their Lordships upon any other subject adverted to in his Majesty's Speech; and he would, therefore, beg leave to read the Address which he took the liberty of proposing for the adoption of their Lordships. The noble Duke read an Address, which was an echo of the Royal Speech.

The Earl of *Burlington* rose to second the Address. Before proceeding to make a few observations on the subjects referred to in the Speech delivered that day from the Throne, he was anxious to assure their Lordships of his desire to follow the example of the noble Duke, and to abstain as far as possible from the introduction of anything that could tend to disturb the unanimity which usually marked the sentiments of that House upon the occasion of an Address in reply to the Royal Speech. There were many topics to which his Majesty's Speech alluded on which he entertained strong and decided opinions, at variance, perhaps, with a large portion of their Lordships' House; but as his Majesty's Speech merely indicated the different measures to which their attention would be called, and as it did not appear to him that their Lordships were required in any manner to recognise the principle of any measure upon which a difference of opinion might be supposed to exist, he felt that it would not be becoming in him, especially on the first occasion on which he had the honour of addressing their Lordships, to enter into a discussion upon those principles, and he would content himself, therefore, with briefly alluding to the topics contained in his Majesty's Speech. The attention of the country would no doubt be arrested by that part of his Majesty's Speech more particularly directed to the other House of Parliament respecting the increase in the Navy Estimates for the ensuing year. He felt strongly the necessity of a rigid and persevering economy in every branch of the public expenditure, and the country expected it with just confidence from his Majesty's Government; but at the same time there existed in this country a proper attachment to that branch of the public service; and if other nations thought proper to increase their naval forces, he was sure the Representatives of the people would not refuse, under such circumstances, to grant such an augmentation of our naval power as might be deemed adequate for the protection of the national honour and commercial interests of the country. He had heard with much satisfaction that his Majesty had received assurances from all foreign powers of the existence of a friendly disposition towards this country; and he was more particularly gratified by the allusion to the intimate union between this country and France. He trusted there was no reason to doubt that the Councils of the two countries would be directed by such a policy as would ensure the continuance of peace. The existence of war in any part of Europe was to be deplored, and he was sure that that House would cordially concur with that passage in his Majesty's most gracious Speech which breathed a hope that the vigour and prudence of the present Government of Spain might be equal to the urgency of the crisis in that country. With respect to the internal condition of the country, he believed, there was but one opinion upon the state of the manufacturing districts, viz., that they were in a state of unparalleled prosperity. He believed that all classes engaged in the pursuits of industry were in a most flourishing and satisfactory condition; but he was sorry to be obliged to agree with the Address, that a great portion of the agricultural districts did not participate in that prosperity. During the recess they had heard a great deal of the universal prevalence of agricultural distress, and in some instances, as it appeared to him, measures of a dangerous nature had been proposed. For himself, he could not anticipate that after hearing the evidence of well informed and unprejudiced individuals, that distress would then be found so universal as had been represented—and he had no doubt that for such distress as might be found to exist remedies would be proposed not inconsistent with the general welfare of the State. He could not, however, leave this part of the subject without observing, that he did not think it could with justice be said that Parliament had done nothing to relieve that distress, because he thought a measure that was passed two Sessions ago had the effect of considerably alleviating the condition of the agriculturists. He alluded to the Poor-law Amendment Act. He could not sit down without alluding to another subject adverted to in his Majesty's Speech. He meant the alteration of the tithe system in England and Wales. He could not help thinking that by removing the oppressive nature of its operation much relief might in some instances be given to agriculture, and notwithstanding the failure of former efforts, he trusted that Parliament might be able to devise some measure of a satisfactory nature calculated to remove all dissension. As to the inquiry into the dioceses of England and Wales, he trusted the labours of the Commission might be such as would promote the efficiency of the Establishment, by removing the abuses which had given rise to so much obloquy. He feared that the existence of these abuses, if they much longer continued, would have the effect of materially shaking the foundation of the Church; but he trusted that measures would be proposed which would meet the views of the large body of the clergy. It was unnecessary for him to state at length the grievances of the Dissenters, they were well known to their Lordships, and he believed that all parties had expressed an anxiety to see them removed. He trusted the principle which had of late years induced Parliament to remove a great portion of the disabilities and grievances under which their fellow-subjects had laboured, would also have the effect of inducing them to adopt some measures to relieve the grievances of Dissenters. After what had fallen from the noble Duke relative to the state of Ireland, and after the expression of his opinions, which should always carry with them great weight, he felt that he almost intruded upon the attention of the House by referring to the subject. In every speech from the Throne since the commencement of his present Majesty's reign, their attention had been directed to the state of the Tithe Question in Ireland; but unfortunately it remained unsettled, and he trusted another Session would not be allowed to pass until this truly important subject was finally arranged. On a subject upon which it was to be presumed a very great difference of opinion existed, he should content himself by stating what he had already said of other measures, that it was his anxious hope that such enactments as should be made would have the effect of promoting the true interests of religion and the peace of the country. But he trusted their Lordships would consider the different circumstances in which the Churches of England and of Ireland were placed. He need hardly say, that the difference to which he alluded, consisted in the difference of religious opinions entertained by a large body of his Majesty's subjects in that country. Their Lordships were aware, from the Report of the Commissioners of Corporations in Ireland, that the same causes of discontent existed in that country as had been felt in England until the force of them had at length operated a remedy; and he had no doubt they would concur with him in hoping that a measure might be brought forward upon that subject satisfactory to all the Corporate towns in Ireland. The next topic in the Address proposed by his noble Friend referred to the introduction of a system of Poor-laws into Ireland. He was inclined to think that this was the most important, and at the same time the most difficult, of all the various questions adverted to in his Majesty's Speech. The first Report of the Commissioners upon this subject had made it imperative upon Parliament to do something. At the same time, the most anxious care should be exercised to avoid the same bad consequences resulting from a bad administration of those laws, as had occurred in this country. This was especially necessary in the peculiar circumstances of Ireland. If a satisfactory measure should be adopted by Parliament, he hoped that they would not stop there in their measures of relief for Ireland. He did not believe that any system of Poor-laws, however well devised, would suffice to produce a permanent good effect in that country. It might alleviate some portion of the misery of a population sunk in wretchedness, but it would not reach the sources of the evils to which Ireland was a prey. In order to do anything effectual for that country, it would be necessary, first, to discover the real sources of her misery, and then boldly apply a remedy. The difficulties in the way of such a course were undoubtedly many, but he believed they were not insurmountable, and he hoped Parliament would adopt some measure which would not only administer relief to the suffering, but hold out to the industrious poor some prospect of adequate employment, and reward for their labour. He begged leave, in conclusion, to thank the House for the great kindness they had shown towards him,

The Duke of *Wellington* said, he quite concurred in the opinions which the noble Duke and the noble Earl opposite had so ably expressed as to the great importance of the Speech which had been that day delivered from the Throne. He believed that never had there been a Speech delivered from that Throne embracing so many important topics, upon all of which so much depended. He would not attempt to discuss all those topics upon that occasion. Other opportunities for discussing them would occur, and he should, therefore, follow the prudent example of the noble Lords opposite, and say but little upon them. At the same time he wished he could attend to the suggestion of the noble Earl who had last spoken, not to oppose any part of the Address which had been proposed. He sincerely rejoiced at the intimation conveyed in the first part of the Speech from the Throne, which stated that there was no appearance of any probability that the peace of the world would be disturbed. He confessed that from what he had heard lately of armaments in a state of preparation in the ports of this kingdom, he had been apprehensive that he should receive different information upon this occasion. It was to him, therefore, very satisfactory to hear that not only was there no ground for such an apprehension, but that his Majesty had received from all Powers, Potentates, and States, assurances of a continued desire to cultivate friendly relations with this country, and that those armaments which, according to report, had been in preparation for months, had no other object than merely to guard the extended commerce of the country. It gave him great satisfaction to learn that there was no ground for apprehending that this country was likely to be embarked in a war, for it was her interest, not only to preserve peace for herself, but for the whole world. That ought at this moment, more peculiarly than at any other, to be the object of this country. He regretted that the naval force of this country had been reduced some years ago from that very amount to which he believed it was now intended to go back, because the alarm caused by the augmentation at present proposed would not have occurred had that reduction not been made. But he would not trouble their Lordships with any further observations upon this topic. He should have allowed the Address in answer to his Majesty's Speech to pass unanimously, so far as he was concerned, if it had not been for a particular paragraph in the Speech, and a particular answer to that paragraph in the Address, to which it was absolutely impossible he should agree. It had not heretofore been the practice of his Majesty, in his Speech from the Throne, to indicate the particular principles upon which any measure to be proposed by the Government was to be framed. The usual practice had been for the Crown to draw the attention of Parliament to a particular subject, and state the measures to be proposed for the consideration of Parliament upon that subject; and it had been usual for Parliament, in answer to that recommendation, to state that Parliament would take the subject into its serious consideration. In the Speech, however, that day delivered from the Throne, his Majesty stated upon one particular subject, the subject of Corporation Reform in Ireland, the principles upon which the measure ought to be framed. The passage was as follows:—" You are already in possession of the Report of the Commission appointed to inquire into the state of the Municipal Corporations in Ireland, and I entertain the hope that it will be in your power to apply to any defects and evils which may have been shown to exist in those institutions, a remedy founded upon the same principles as those of the Acts which have already passed for England and Scotland." This was not the usual way, he repeated, in which the Sovereign had been in the habit of addressing Parliament respecting the measures to be proposed by Government. The noble Earl who had last spoken had stated very truly, that the House ought not to be pledged upon this painful question, either with respect to the principles or any matter of detail relating to measures to be brought forward by his Majesty's Government. All that the House could be called upon to do was to say that it would take the subject into its consideration in accordance with his Majesty's commands. He disapproved of this novelty—for a novelty he must call it. He thought that his Majesty's Ministers ought not to have given such advice to his Majesty, and he, for one, most certainly could not answer his Majesty's Speech as was proposed by the noble Lord opposite. The portion of the Address in which he could not concur was this:—" Being in possession of the report of the Commission of Inquiry appointed to inquire into the Municipal Corporations in Ireland, we partake of the hope entertained by your Majesty, that it will be in our power to apply to any defects and evils which may have been shown to exist in those institutions, a remedy founded upon the same principles as those of the Acts which have been already passed for England and Scotland. In his opinion their Lordships ought not to be called on to pledge themselves, as they would do if they told his Majesty that they partook of the hope that the principle of the Acts for England and Scotland should be the foundation of the Bill for Ireland. Under these circumstances, he intended to propose to their Lordships an Amendment to that part of the Address. He should hope that his Majesty's Ministers did not intend to call on their Lordships to pledge themselves to those principles on this occasion, and he hoped, therefore, that they would agree to substitute the words which he proposed to insert. His Amendment was, " Being in possession of the report of the Commission appointed to inquire into the state of the Municipal Corporations in Ireland, we will proceed, without delay, to the consideration of any defects and evils which may have been shown to exist in those institutions, for the purpose of applying such remedies as may obviate just causes of complaint, and insure the impartial administration of justice." He would not detain their Lordships further on the subject of this Address. He felt the great importance of every one of the topics it contained: but he should reserve the observations he had to make on them for future opportunities. He would not sit down, however, without asking the noble Viscount at the head of his Majesty's Government, what course he intended to pursue to bring the subjects alluded to in the King's Speech under consideration? He begged to inquire whether it was the noble Viscount's intention to bring those measures, or some of them, forward in this House in the first instance, or what course he proposed to adopt, in order that this House might have the measures before it, at a period sufficiently early to give to them the mature consideration they required, without sitting, as last year, up to a very late period?

Viscount *Melbourne* said, though I should have been better satisfied if the noble Duke had found it in his power, on coming to a consideration of the Address, to have given his concurrence to all parts of it, and thus to have acted in that manner which is held by your Lordships, both individually and collectively, as most desirable on such occasions—namely, that, on the first night of the Session, having just received his Majesty's most gracious Speech from the Throne, we should agree to an Address to his Majesty, avoiding any decided difference of opinion whatever—though, I say, I should have been better satisfied if the noble Duke could have reconciled it to his sense of duty to take that course which he stated—and no doubt truly stated—it was his desire to take, yet I cannot but congratulate myself that the difference the noble Duke has pointed out—the difference on which he does insist—is so very small, and one that bears so little proportion to the remaining portions of the Speech, which the noble Duke states to be more pregnant with matters of importance to the country than any Speech that was ever before delivered from the Throne. I must say, however, that I think the noble Duke exaggerates in that respect. I admit, indeed, the great importance of many of the topics; I admit, that as regards many of the contemplated measures, they are calculated to exercise, and I trust will exercise, a most salutary and beneficial influence on the morals and prosperity of the country; but when I consider the times which are past and through which we have lived, when I consider the great changes which have been introduced, I think the noble Duke a little exaggerates, when he describes the present as the most important Speech he ever heard from the Throne. When the noble Duke contrasts the spirit and temper of those times with the tranquillity of the present day, I think he must be sensible that he has gone a little beyond the limits of just description. In what the noble Duke has said on the foreign policy of this country, I give my entire concurrence. I assure him I will use every effort in my power, to carry his views for the preservation of peace into effect. With the noble Duke, I say, that the preservation of peace ought to be the great object of our policy; and it is an object, to secure which, I can assure the noble Duke, all our best exertions are, and shall be, directed. I also agree with the noble Duke with respect to the sentiments delivered by him on the naval force of this country; the increase now intended is only for the purpose mentioned in the Speech itself—to meet the necessity of maintaining the maritime strength of the country, and giving adequate protection to its extended commerce. With respect to the objection of the noble Duke to that paragraph in the Speech which relates to the Municipal Corporations of Ireland, the noble Duke says, that his Majesty's recommendation is a novelty. I do not pretend to be so much a master of what has been said on all such occasions as to contradict the noble Duke; but I very much doubt whether it has not been usual in the Speech from the Throne at various times, and in relation to various topics, to suggest to Parliament the principles on which it should proceed. The noble Duke says it is not usual, but what reason is there why it is not usual? Why should such a course not be taken? Is the want of a precedent the only reason why his Majesty, or the advisers of his Majesty, are to be prevented from doing that which is obviously useful? I contend that it is not sufficient to say the course we have adopted is not usual, but it is incumbent on those who would govern us by precedents to show that the precedents have no exception, and have some foundation in public utility. I assure the noble Duke that the paragraph in question was well considered, and the expression "founded upon the same principles as those of the Acts which have been already passed for England and Scotland," was adopted to obviate objection in the minds of noble Lords. We have always been ready to admit, that if there are any peculiar circumstances in Ireland—anything peculiar in the character of the population, or in the nature of the country, or in the corporations themselves,—rendering the provisions of the Acts passed for England and Scotland inapplicable to Ireland—we have always been ready to admit there might exist a ground for difference; therefore we did not say the "provisions," but the "principles," meaning the "principles," so far as they are suitable to the peculiar condition and circumstances of the Irish people. I say, then, my Lords, that there is, in fact, no material difference between the words in the original Address and the words proposed by the noble Duke. The one no more binds your lordships to apply the provisions of the Acts for England and Scotland to Ireland than the other, and that being so, I think it will be more befitting this House, and more respectful to his Majesty, to adhere to the words as moved, and thus return an answer according to form and custom, in as nearly as possible those expressions which his Majesty has been himself advised to use from the Throne. I trust that the noble Duke, for the sake of that unanimity which he thinks desirable, will not on this occasion insist on the Amendment which he has thought proper to move.

The Earl of *Winchilsea* said, that after the decided opposition which he had given in the last Session of Parliament to the measure which was carried for regulating the English Municipal Corporations, it was almost unnecessary for him to state to their Lordships that the amendment which had been proposed by his noble Friend would receive his warmest support. The only objection which he entertained to the amendment was this, that it did not place him in a situation, on the first night of the Session, to put on record not merely his opposition, but his decided hostility to the principles and course of policy pursued by the noble Viscount and his Colleagues, both foreign and domestic. He was prepared to say, that the maintenance of those principles to which he adverted had been persevered in, in direct variance with the high feeling of this great nation. He was prepared to say, that those principles had tended only to degrade the national character, and had lost us that commanding respect and interest which we had hitherto maintained amongst surrounding nations. The principles which guided the present Government, connected as they were with our domestic policy, had brought the country to the verge of ruin, and those institutions which had hitherto diffused more joy and happiness than had ever been known under other forms of Government, were threatened with destruction. It ceased, however, to be a matter of surprise that it should be so, when they reflected that the Speech from the Throne was, in point of fact, the Speech of his Majesty's ministers. That Speech contained not the slightest allusion to the domestic or political events which had occurred since last their Lordships met within these walls, though in any other than the extraordinary circumstances under which the Government was placed, this would have been done. He would not, however dwell upon the fact of persons holding the highest official situations taking a part in certain proceedings. This circumstance had, however, engrossed the attention of every reflecting mind throughout the country. Yes, it had elicited from one extremity of the country to the other, in every breast which was actuated by feelings of honour or patriotism, the greatest degree of abhorrence. The course which had been pursued could only have for its object the subversion of the British Constitution. Acts had of late been tolerated which, in other times, would have been treated as acts of treason. He would refer their Lordships, and he would confine his observations to those times which were in their Lordships' recollection—he would refer to the period of the French revolution, when those contagious, those democratic and levelling principles were paramount in that country, which was to this hour a living monument of the DIVINE wrath. These principles tended to the uprooting of all good government, and of every foundation upon which social order existed, and tended also to the debasing of human nature. He would warn their Lordships by reminding them of the general evils arising out of the French revolution. Let their Lordships look around, and they would behold a dark and gloomy political desert. Not one bright speck was to be seen in our own political horizon. He would caution the noble Viscount at the head of his Majesty's Government to beware of what course he pursued; for the moment a principle of equality was admitted, property would be at an end, and religion and laws would be set at nought. Before he sat down he must observe, that at a late period of the session last year so many Bills were submitted to their Lordships shortly before its close, that it was impossible to give them due consideration. In the month of August between fifty and sixty public Bills were placed on the Table of their Lordships' House. It was impossible for their Lordships to discharge the duty they owed to the country by giving to those Bills the attention they deserved. He must express his regret that a noble Earl for whom he entertained the greatest respect, and who was the King's representative in the Sister Kingdom, should have received the individual to whom he had before alluded at his Court immediately after a tour of agitation, the chief object of which was to villify their Lordships' House. He would conclude by saying that religion was not left to them as mere matter of doubt; there was only one religion which it was the duty of Christian ministers and a Christian Legislature to maintain, and that was the Protestant religion. Their Lordships had taken an oath to maintain it; but he believed, if the measures were passed which were recommended, the most mischievous consequences would ensue, such as would endanger that religion they had sworn to maintain, and, therefore, he trusted that their Lordships would support the amendment which had been proposed by the noble Duke.

Lord *Wharncliffe* said it was not his intention to go through all the points to which the Speech from the Throne alluded, but the paragraph in question was certainly not one of a common nature in such productions. The Speech, indeed, did not merely state what it was the intention of the Government to propose, but it called upon their Lordships to relieve certain alleged grievances on certain principles. That those grievances should be removed their Lordships granted. Wherever grievances could be shown to exist, their Lordships were ready to apply in such cases a proper and efficient remedy; but he objected to be pledged to particular principles. Those principles of action might be judiciously adopted in respect to the people of England and Scotland, and yet in the country to which the Speech alluded —in Ireland—it would be most improper to apply them. There were two propositions before their Lordships, upon which they were called to decide. His Majesty's Government called on them to remedy the grievances in Ireland on certain fixed principles, which they said had been carried into execution in two parts of the empire. On the other side, he and his Friends said, "no;" they were ready to remove the grievances in a satisfactory mode; but they objected to be pledged as to that mode. What were those principles? Were they merely that there should be no exclusion in the formation of the corporations; that there should be no self-election; if so, he was ready to subscribe to them. But if they were to be carried further, if they were to be taken from the Bill which was brought up last year, he objected to adopt them in the corporations of Ireland, however proper they were in the corporations of England. In saying this much he did not mean to prejudge the question; he was ready to consider whether this mode which was proposed by his Majesty's Government was the best; but he would not before hand pledge himself to particular principles, when other and better remedies might be found. He sincerely hoped that the noble Duke would persist in his Amendment.

The Marquess of *Lansdowne* would confine himself to the very narrow position taken by the noble Lord who had just spoken. The opposition of the noble Lords opposite rested on the narrowest ground that he ever remembered to be assigned for opposition. So narrow was it, that he felt most anxious not captiously to oppose any thing calculated to produce the unanimity which their Lordships so much desired. But in expressing that wish he considered it necessary, especially, to guard himself and his colleagues against the supposition of having advised those words to be inserted in his Majesty's Speech, from any intention whatever to pledge their Lordships as to the particular nature of the measure to be proposed, or any attempt whatever to lay down the precise nature of the principles on which the measure was to be founded. The intention was to allow the largest latitude to the consideration of the House; not to pledge them to principles, but to point out the necessity, which their Lordships admitted to exist, of removing acknowledged abuses, and substituting responsible for irresponsible power. He was not disposed to urge any opposition to the words proposed to be introduced by the noble Duke; and not feeling disposed to make that opposition, he was anxious to make any sacrifice so small as this to obtain unanimity. He trusted that the noble Duke, and he trusted that their Lordships would allow him, both in his own name and in the name of his Colleagues, to protest against any inference, that by consenting to leave out the words relating to the principles of the measure, and admitting the words of the noble Duke, they were binding or pledging themselves not to abide by the same principles as those of the acts for England and Scotland. On the contrary, he begged to declare that they reserved to themselves most fully and distinctly, the privilege of proposing to their Lordships a bill, founded on what they should consider to be the same principles, because it was only by a bill founded on those principles that they could hope to give satisfaction to the people of Ireland. Unless they could give satisfaction to Ireland by the Bill they introduced, founded on the principles to which he had adverted, it would be their duty not to bring forward any such measure, but to leave it to other hands to propose the measure, and carry it through this House. He entered then his protest against being bound by the Amendment of the noble Duke, and that being understood, he believed he might say for his noble Friends near him, as he said for himself, that he was unwilling to take up the time of their Lordships with any protracted discussion of this narrow point. While their Lordships were unpledged as to the details, they were pledged to give their consideration to the question.

The Duke of *Wellington* said, that in the proportion that he felt pain in moving this Amendment, did he now feel satisfaction that the noble Lords opposite, to whom he offered his sincere thanks, had adopted it. As to the explanation which had been given he would merely observe, that he objected to the words of the Address because they appeared to him to pledge their Lordships to the principles of a measure which they had not yet had the opportunity of discussing and considering. On the other hand, their Lordships could not require from the noble Lords opposite, that they should abandon any principles which they thought it their duty to maintain. All he should say further on this subject was, that he should come to a consideration of the measure with the sincere desire of perfecting it and carrying into execution the objects which he had stated in his amendment. He did not wish to press anything of a disagreeable nature, but he was anxious to ask what was the course of proceeding which the noble Viscount proposed. Were there any measures which he proposed to introduce at once to their Lordships with a view to accelerating the progress of public business.

Lord *Melbourne:* I cannot now name the precise day, but I beg to assure the noble Duke that it is my intention to bring forward in this House, and as speedily as possible, some of the most important of the measures which have been recommended by his Majesty's Speech.

The Address, as amended, was agreed to.

The following Protest was entered by Lord Cloncurry to the Amendment moved by the Duke of Wellington.

1st. Because such Amendment will excite in the minds of the people of Ireland a fear that it is not intended to extend to them the same meed of justice, and the same extent of corporate reform, which have been so beneficially afforded to the people of England and of Scotland.

2d. Because a full measure of corporate reform is more necessary, if possible, in Ireland than it could have been in England, the majority of corporators in Ireland being not only insolvent peculators, but traders in religious intolerance, insulting to the great majority of the people.

3d. Because great alarm must be excited in the minds of the friends of Ireland by an Address proposed by the first peer of that country, constantly resident, acquainted with their wants, and dear to their hearts, being curtailed or emasculated, at the suggestion of a party whom they believe to be hostile to their interests, and to the general principles of liberty.

4th. Because, in the present state of public opinion in Ireland, it is necessary to prove to the people of that country, that it is the intention of Parliament to treat her as an integral part of the empire, which can alone suppress or mitigate their aspirations for a domestic and paternal Legislature.

5th. Because the long-continued system of injustice and oppression, to which the people of Ireland have been subjected, has engendered a degree of suspicion and distrust in their minds, which can only be overcome by the most perfect fulfilment of promises held out, and of hopes fostered in their bosoms, by a Sovereign they revere, a local Government they respect, and an Administration who, having done so much for the cause of Reform in England, must, in their good policy and good sense, see the necessity of obtaining as much for Ireland.

Cloncurry.

HOUSE OF COMMONS,

Thursday, February 4, 1836.

The Address—King's Speech.] The Speaker acquainted the House, that he and other Members had attended in the House of Peers, and had heard his Majesty deliver a most gracious Speech, of which he had procured a copy. This copy he read to the House.

Sir *John Wrottesley* rose for the purpose of moving the Address, and in doing so, said, in performing the duty I have undertaken on the present occasion, I cannot plead that inexperience usually urged as a claim on the indulgence of the House.

I must rather rest my case upon the importance of the topics there introduced, and the favourable attention they will meet with, particularly when I consider that they are selected from subjects, the introduction of which has heretofore been sanctioned by the House—upon which Bills have been introduced and discussed; and if they have not been perfect and sufficiently satisfactory to the other branch of the Legislature, at least they cannot be deemed measures introduced for the mere purposes of change, but must be considered as attempts to remedy with caution and circumspection just causes of complaint. One recommendation is, indeed, new, but may be considered as the necessary result of the inquiry which has been instituted; and although I admit that the value of the case consists necessarily in details, I expect the measure itself will be characteristic of a generous nation, ever zealous in the cause of benevolence, humanity, and Christian charity. The first point I will bring under your consideration, is the universally acknowledged prosperity of our commerce and manufactures. In that part of the country with which I am best acquainted, never was there a more prosperous moment in all branches of trade connected with the produce and manufacture of iron; and I am happy to learn, from the best sources, that equal prosperity in all the other important manufactures of the country prevails. Cotton, woollen, earthenware, and silk, upon which such melancholy forebodings formerly existed, are in the most flourishing condition; and my satisfaction is increased by the knowledge, that this is not produced by any temporary cause, any over-issue of paper to create delusive prosperity for obtaining some great political object, but is the natural consequence of enterprise and industry, with a currency founded on a solid basis. There is no speculation, but our prosperity arises from a steady and increasing demand, and orders from houses of undoubted credit, more numerous than even our exten ive manufactories can furnish. The labourers of England are fully employed at adequate wages, and a bountiful Providence, during three successive years, has provided them with an ample supply of food at prices which now enable them to compete with the artizans of other countries who have the benefit of cheaper food. This circumstance, so favourable to manufactures, has created some complaints on the part of the landed interest. For myself, nearly all my fortune is connected with agriculture, both as proprietor and occupier; and if one class of my countrymen could doubt my anxious desire for its prosperity, no assertion on my part could convince the others I was indifferent to it; but no personal motive shall ever induce me to sacrifice one class of my countrymen to another; nor will I, for the sake of casual popularity, hold forth encouragement to the farmer, which I consider delusive, and can only end in disappointment. An interest so important as agriculture, has just claims to prefer its complaints, and call upon the Legislature to consider them. It may, if it conceive itself neglected for want of union, associate; it may bring forth all its strength to further its views, and his Majesty recommends us to listen to them; but I venture to hope, that ere it brings its case before a Committee of this House, this new Agricultural Union will be more agreed as to the remedies it proposes. I must, however, observe with regret, the importance by the members of that Union attached to objects to which I am confident this House will not assent; while they pass over others which appear to me more efficacious and more attainable. A man who at one of their meetings adverted to local taxation, would be treated with contempt; and yet I speak confidently, when I say, relief would be greater from the amendment of the Poor-laws, great diminution of the county-rate, and a most economical and judicious management of the turnpike-tolls—a very considerable burthen upon the agriculturist, who contributes first to the repair of the roads, and is then heavily charged for the use which he makes of them—than from the measures generally proposed. If these appear but a trivial relief to the Unionists, it is for them to bring under the consideration of Parliament better and more efficacious measures. The Reports of the Commission appointed to inquire into the Church of England will soon be presented. It is composed of the Archbishops, Bishops, and principal officers, with other noblemen and gentlemen of dignity, and long experience in high public stations. His Majesty recommends us to act without delay upon these Reports. I have no doubt every attention will be paid to the interests of a body of men, inferior to none in learning, piety, and zeal; and while we provide as largely as the funds will admit for the maintenance of those who have spent large sums in acquiring that knowledge essential to the due discharge of their sacred office, and are expected to preserve their station in society, we shall also require of them a strict attention to those duties, for the discharge of which those funds were originally destined. With this subject is connected the mode of payment of the clergy; and here I find all parties agreed in the necessity of adopting some mode of preventing a collision of interests, where so much harmony ought to prevail. Several attempts have been made to render general a commutation of tithe, and his Majesty's Government have devoted much of their time and attention to that object. The result of their labours will, in due time, be presented to the House and sincerely do I hope it may be so framed as to receive the approbation of the Legislature. The grievances complained of by the Dissenters have been the subject of numerous petitions, and measures for their relief have been introduced into this House. His Majesty called our attention to these in the Speech at the opening of the Session last year, as far as regards marriage. The present recommendation takes a wider view, and proposes to you to embrace other measures, calculated not only to relieve Dissenters, but to provide a better mode of rendering that evidence upon which the succession to property often depends, less precarious and more accessible. Whatever difficulties may have existed in prosecuting those reforms which have hitherto taken place, they fall infinitely short of the obstacles opposed to any alterations affecting a reform of the laws. The expense and delay attending suits in Chancery, often amounting to the absorption of the whole property contended for, frequently depriving persons of the enjoyment of it during their youth and manhood, and restoring it at a period when the mind is no longer able to enjoy it, harassed by vexation, and fast sinking to the grave. If delay and expense injure the suitor, it enriches the profession; and such is the close connexion between its various branches, such the recollection of services performed, that the highest and most influential members of that profession have been suspected of leaning more to those interests than their duty to the public should have suggested. These abuses have continued through centuries, and I can only account for their long continuance, by the fact, that reform could only have been digested by those whose interests must have been injured. There are, however, in modern times, splendid exceptions and the substitution of payment by salary in lieu of fees, gives us a facility to promote reforms which did not previously exist. In this House I anticipate no successful opposition, and if there are in this kingdom any more deeply interested in this measure than others, they are the possessors of a large portion of the landed property of the country. The Report of the Commission on the Irish Poor, which his Majesty has laid before us, cannot fail to have arrested the attention of Members from all parts of the United Kingdom. Of the state of the poor of Ireland we have often heard complaints, often have we been called upon to relieve temporary distress; but of their actual condition we wanted some correct information as there were contradictory reports. The mode adopted in prosecuting the present inquiry is free from all suspicion: all classes were invited to attend; and the Report adds to the facts disclosed the witnesses and the names of those in whose presence the evidence was given. Had this report been given three years ago, how distressing would have been the reflection, that appalling as the circumstances were, the introduction of the English Poor-law would have aggravated, the distress, and the remedy been worse than the evil itself. But that great measure, the reform of the English Poor-laws, so unjustly stigmatised as oppressive, not only relieved the over-burdened rate-payers, but has afforded comfort to the aged and impotent, for whose benefit it was intended, and released the able-bodied from a state of thraldom and dependence, and placed them in the situation of free labourers, capable of disposing, to whomsoever they choose, their only commodity —the labour of their hands. I contended that there was no surplus labour in England; and the moment you released the able-bodied labourer from being compelled in some measure to reside in his own parish when no work could be found, this fact was established. The case of Ireland is, however, strikingly different; and the distinctions in the state of the labouring poor in the two countries must never be lost sight of, in endeavouring to assimilate their laws. The Act of Elizabeth may perhaps be safely applied taking care not to engraft upon it the laws of settlement; and, above all, never admitting that the poor have a right or claim upon the industry of others for money or work. In Ireland you have not the machinery of England to work the Poor-laws; and if here it has been found necessary to deprive it of some of its powers, and place it under the vigilant control of officers appointed by the Crown, in Ireland it would be most impolitic to create it. What may be the limit of the amount to be raised, with a variety of details, must remain open to the deliberation of the House. All I ask is, that Ireland should no longer be the only country in the civilized world in which a provision of some kind for the relief of the indigent does not exist. Until this great question is settled I will not attempt to define all the causes of those discontents which have occupied so much of the attention of this House, and operated so powerfully upon the events of this country, from the very commencement of the Union to the present time. However, I have little difficulty in pronouncing, that whatever superstructures may have arisen, poverty has been the foundation. Whatever be the cause, the effects are too apparent to leave a doubt on our minds as to the propriety of assuring his Majesty, that we will take them into our consideration. To one measure I can see no objection. You began by altering the Municipal Laws of Scotland. Last Session was employed in framing a measure for placing Municipal Corporations in England and Wales under more vigilant popular control. The success of that Act, and the satisfaction generally evinced throughout the country has fully justified its enactment; and now, when you are called upon to reform Corporations, which are, if possible, worse than those of England, Ireland would, indeed, have just cause to complain of partiality, of which, I trust, the Legislature will never be guilty. The settlement of the Irish tithes has been so fully admitted by both sides of the House, that a recommendation to consider that subject in the very general terms of the Speech, can hardly be disputed. A subject which has created such difference of opinion, not only in Ireland, but between the two branches of the Legislature, I will not venture to discuss in the midst of so many important topics, and at so inconvenient a moment; I must, however, lament that any circumstance should have arisen to prevent the termination of disputes which have given rise to so much bloodshed. It must be highly detrimental to the interests of our Established Church to have a question of so much importance undecided. No man can doubt that some remedy ought to be applied to the present condition of the Irish Clergy—men whose station in life may be conceived to entitle them to be placed above the hardships of poverty, yet who are now supported either by voluntary contributions from this country, or by what little they have been able to collect of that which is undoubtedly their own property. Two Bills have been already sent up from this House for the purpose of effecting their relief. I regret that they did not meet with success, and I trust that any future measure for that purpose will experience a different fate. I never will be the advocate of a great organic change which would alter that Constitution under which I was born, and which has produced such happy results. Great and beneficial changes have, and I trust will, continue to be made; but to be governed by King, Lords, and Commons, is a principle upon which the Constitution of our country rests. I do not complain that the other House of Parliament should take a different view of a subject from ourselves. I am not disposed to state my opinion upon a case which might impede the march of Government; such a case has not arisen. The example of last Session proves that the good of the country being the great aim and object, mutual forbearance, and mutual concession, may be attended with the most beneficial results, without any compromise unworthy of the character of either of the contending parties. It will give satisfaction to the House to learn that the intimate union which subsists between this country and France is a pledge to Europe of the continuance of the general peace. Some persons may suppose that a difference exists between these professions and a desire to increase our naval force: but no Statesman will deny that the best mode of ensuring a continuance of peace is to be prepared for war. This country can gain nothing by war, and in the present state of her prosperous commerce, shared by other Powers, we are possessed of more colonies than we want for our own sake, and retain many of them solely for the purpose of preserving the balance of power in Europe, and preventing those frequent contests which for centuries has devastated parts of Asia. Peace is our great object; and I firmly believe, there are no better means for maintaining peace in Europe, than that we should retain that maritime superiority for which so much blood and treasure has been expended. His Majesty also expresses a wish for the speedy termination of the civil war in Spain, and a hope, "That the authority of the Queen of Spain will soon be established in every part of her dominions, and that the Spanish nation so long connected by friendship with Great Britain, will again enjoy the blessings of internal tranquillity and union." That wish is one to which I am sure every one must heartily respond. His Majesty further intimates a fact which must, I am sure, give unqualified satisfaction to all the friends of humanity—that he has concluded with the Queen of Spain a Treaty for the suppression of the Slave Trade. We must hail with satisfaction a continuance of our close alliance with France. A stronger proof of the sincerity of that country could not have been given, than the readiness with which she has received our proffered mediation with the United States. His Majesty expresses a confident hope of its acceptance by that other Power also, and then we shall perceive the confidence reposed in us by those two most powerful and enlightened nations, so recently our foes and rivals. Proud indeed may this country be when two such nations intrust to it not only their interests, but that of which they are more jealous—their honour. That confidence will not be misplaced. No British Government will ever propose to these nations to adopt a course which their own high principles would deem inconsistent with the dignity of the Sovereign of this country.

The hon. Member concluded by reading an Address, which, as usual, was an echo of the Speech.

Mr. *Parker:* I rise to second the Address in answer to his Majesty's most gracious Speech. In doing so, if the hon. Baronet, who has attained so considerable a station in this House, had to ask the House for as large a portion of their indulgence as was compatible with its dignity to grant, how much more reason have I to throw myself upon the indulgence of hon. Members, and to assure them that no one ever made the request with more sincerity, or with greater conviction of the degree in which he required it, than the humble individual before you. And, Sir, although I feel the fullest confidence in the ancient and prescriptive kindness of this House, ever extended to those who unostentatiously ask it at their hands, when I look round on the many Gentlemen associated with me on these benches, and consider how inferior I am in Parliamentary standing, and still more how inferior in abilities, I certainly should not have presumed to have come forward on an occasion like the present, did I not feel that I shall speak the sentiments in reference to this most gracious Speech which pervade the intelligent and industrious community which has twice sent me here without expense, and has supported me here with a generous confidence, of which I never can be insensible—and not only the sentiments of that single borough, but of many others of equal character throughout the realm, the inhabitants of which, in peaceful and prosperous commerce, and under the shade of amended social and municipal institutions, feel grateful to the persons, and inalienably attached to the principles, of Lord Grey's and Lord Melbourne's Administrations. Sir, beneath the former of these Governments the Reform Bill became a law, and many great and successful measures were accomplished. The seeds of other measures were also sown; and in his Majesty's most gracious Speech, upon which this House is now debating, the country will see with pleasure that the Reform Bill is not a sealed volume, unproductive of good measures, and sterile in improvement; but, on the contrary, they will see that it is a living letter, and that it will be the pride and glory of the reign under which we live, to have settled, not rashly, but to have satisfactorily settled, on safe, and sound, and constitutional foundations, a greater number of good measures than it was ever before the happy portion of a Sovereign to confer upon a people. But, Sir, if the other measures to which I have alluded have not only been wise in themselves, but prosperous in their result, for instance, that relating to the East India Monopoly, the Poor-law Amendment Bill, and most of all, that great measure which has annihilated slavery in our colonies, and out of a society so complicated with passions, interests, and prejudices, order is beginning to appear, and success equal to expectation is crowning the humanity of Parliament—have we not equal reason to form expectations equally favourable in respect to other great measures announced in his Majesty's Speech, and ought not this House to entertain them as founded on wise and well deliberated principles. Sir, the House will hear with pleasure that his Majesty still continues to receive from his allies assurances of their anxiety to maintain pacific relations with this country; and when we consider the difficulties with which, at several periods, the preservation of peace has been attended — so grave, indeed, and considerable, as to have induced a distinguished individual, formerly a Member of this House, but now a Member of the House of Peers (I mean Lord Ashburton), to have given it as his opinion that peace could not be preserved for six months from November 1830—I think the House will give great credit to his Majesty's Ministers, and to the noble Lord who presides over that department, for having so managed the diplomacy of the country, as, without any loss of national honour, to have preserved the inestimable blessings of peace. I think, also, there will be but one opinion in respect to the mediatorial character offered by his Majesty, with a view to arrange the unfortunate difference which threatened a rupture between two nations so enlightened and so dear to us as the United States and France. Certainly, Sir, it would have been a painful sight to every Englishman to have seen arrayed against each other nations so connected with us—the one by the bonds of common origin, and the other by the closest alliances. The one, our rival in civilization, but no longer our enemy in the field. A nation full of chivalry and courage, adorned beyond her contemporaries in devotion to the arts; no longer meeting us in any other contests than those of commerce and of peace. The other our kinsmen, bred from English parents, and inheriting the usages of Englishmen — strong in her youthful institutions—and spreading to the widest boundaries of the soil, the language and the name, and the renown of England. I am sure on behalf of two such nations his Majesty could not have used his high authority, as Monarch of these realms, in a manner more gratifying to himself, and more beneficial to civilization than by such an interposition. The House also will sympathise with his Majesty that the civil disturbances unfortunately existing in the Basque provinces of Spain have not yet been brought to a conclusion; but it will hope that by acting up to the Quadripartite Treaty the termination of this struggle, and the establishment of the throne of the Queen of Spain on a constitutional foundation, is not far distant. Then, Sir, I must be permitted, but without giving it a party character, to express my hope and full assurance that the gallant band of Englishmen, now led on by a Member of this House, will reap new laurels on that soil where the British arms, under the command of the Duke of Wellington, have gained such deathless renown; and if it fails to reach the pinnacle of glory, to which the gallant Officer opposite (Sir Henry Hardinge) has attained, still that Vittoria will again ring with the fame of deeds which, though on a smaller scale, and on an issue infinitely less momentous, will add to the reputation of our brave countrymen. His Majesty, too, has been pleased to assure the House that the Estimates will be framed with a view to the closest economy, and in so doing he may no doubt assure himself of the grateful support of the representatives of the people, to whom of all services to be performed by them to their constituents there can be nothing more satisfactory than an alleviation of the public burdens, and a removal of such imposts as the state of the finances will permit. Upon one branch, however, of the Estimates, his Majesty has informed us that he shall have to call upon this House for some increase in his establishment; and when we consider that the naval branch is that which he proposes to strengthen, undoubtedly, from the peculiar attachment of the people of England to that branch of the establishment, it is one which will meet with the most ready acquiescence. No doubt at the proper time explanations will be given as to what has called for this addition, but, in the meantime, reposing as I do, full confidence in the advisers of the Crown, I anticipate the concurrence of this House in the requirement of his Majesty, under the persuasion that such an increase is called for by a corresponding increase on the part of other maritime powers, as well as with a view to protect our increasing commerce, which the House will recollect is extending itself to every corner of the world—and, if need be, to enforce negotiations for a safe and durable settlement of such points of difference, if such there be, as may require adjustment. When the Report of the Commissioners of Ecclesiastical affairs is on the Table of the House, his Majesty will most probably propose measures for such reforms in the state of our establishment as the abuses therein existing require. But of these, as no scheme is before us, and as some time may elapse before such a measure is forthcoming, I will only say, that I hope when it is produced, that it will be discussed by the House in a temper fitting the subject-matter, and that the abuses of our establishment will be effectually extirpated. And this House will have heard with pleasure that his Majesty has the cordial desire to relieve all classes of his subjects from all and every disability arising from the right of conscience, being fully persuaded that such restrictions are an usurpation of functions with which Government has no concern. The adjustment, Sir, of these difficult questions I trust is now at hand; and undoubtedly that adjustment will come with some grace, and be received with some thankfulness on the part of the Dissenters, from that party in the State, which, acting always on the wide and comprehensive principle of the right of conscience, and following out the maxims of the greatest of their leaders, the late illustrious Mr. Fox, has already obtained for the Dissenters of Great Britain the repeal of the Test and Corporation Acts, and for our Irish fellow-countrymen, Catholic Emancipation. There will also, Sir, be shortly, as the House will have learned by the Speech from the Throne, a new Bill to amend Municipal Corporations in Ireland. On the loss of the Bill introduced last Session I will make no remarks; because I am unwilling to revive differences which I trust reason and intermediate reflection may have removed. But I will observe, only, that as Scotland three years ago obtained the blessings of self-government, and has used those blessings in a manner worthy of that great and intelligent people, and as England attained the same last year, having used it also in a manner not less worthy than the Scotch of the confidence of the legislature, I should be sorry to suppose that either here or in another assembly, any wish will exist to deny or circumscribe an equal extension of the invaluable privileges of self-government to Ireland, believing, as I do, that to have a real union, we must have an equal principle of Government; and that we have no right to expect the acquiescence of Ireland in deprivations of privileges which have been extended to the other kingdoms of the union. So also on the Tithe Question, on which I shall exercise equal moderation, hoping and trusting that the same reason and the same intermediate reflection will have produced similar results. I will, however, say this, and nothing further, that the more I have considered that subject, remembering that Parliament has to deal with a country where the minority is in possession of the Ecclesiastical Temporalities, and the majority absolutely excluded therefrom—whether we view the subject statistically, as between numbers, or morally, as between conflicting passions and interests, or politically, as involving questions of ascendancy, I can come only to one conclusion, viz., that if either party, Catholic or Protestant, have reason to complain of the Bill of last year, most assuredly it is not the Protestant who has the soundest cause of disapproval. I entertain, Sir, however, sincere hopes that by the measures contemplated by his Majesty, and, further, by the introduction of a prudent and well-constructed Poor-law into Ireland, that we shall soon see the noble resources of that island attain a development of which I think I already see the symptoms; and if it pleases his Majesty to continue the administration of affairs in the hands of my Lord Mulgrave, who, to his West-India fame, is adding that of being a benefactor nearer home, associated with my noble Friend, of whom I cannot in his presence say what I think, there is substantial ground to hope that religious differences may be assuaged, that the social habits of the people will improve, and that Ireland, under equal laws, and an impartial Administration, will become the stoutest bulwark and the fairest flower in the vast empire of Great Britain. I must now, Sir, advert to the state of the law to which his Majesty's Speech calls our attention; and, undoubtedly, there has been for so great a length of time so continuous a series of complaints at the evils and delays of the Court of Chancery, that it is high time that something should be attempted on a more comprehensive scale than that which hitherto has been done. It is with no view to blame any of the distinguished persons who have presided in that Court that I make these remarks. It is the system, not the men, who are in fault. Angels could not do what human beings are expected to perform; and the fault hitherto has been, that attempts at reform have only touched at isolated portions of the subject, instead of looking at the system as a whole. There was the Vice-Chancellor's Reform in 1813; the orders of Lord Lyndhurst since; the Court of Review in Bankruptcy, and the Judicial Committee, which in some degree, as a relief to the Lord Chancellor, is connected with it. But these were only local reforms. These are the three portions of a Chancery suit: matters before the hearing, at the hearing, and after the hearing. The clog was removed in the first process by the orders of Lord Lyndhurst; but it exists still at the hearing, and with increased proportions; for at the appointment of a Vice-Chancellor the arrears were 250; at the resignation of the Lords' Commissioners, 850. I am quite willing to admit that a temporary arrangement has produced inconvenience. The appointment, therefore, of a Vice-Chancellor has not removed the clog at the hearing, neither has it in the appeal. The truth is, that the judicial strength must be increased, and there must be an effective Court of Appeal. How this can be done I do not presume to say. It will, however, be well and wisely considered; and it will have the benefit of the deliberations of the present Lord Chancellor and the Master of the Rolls, who are men eminently practical, and who are also men who have had far too much experience in Courts of Justice to lend themselves to any schemes which are attractive merely and illusive, and which in operation will be attended with antagonist disadvantages. I trust, also, that in another place his Majesty's Ministers will have the independent aid of an illustrious man, who, deeply versed in jurisprudence, and having brought in a manner more vivid than any one before the public eye the several defects of our national jurisprudence—I mean Lord Brougham—has pursued the course with increased power, which the comprehensive and sagacious Romilly has often developed in this House, and who has had the place in public which Bentham in the closet has held amongst jurists and great publicists. Sir, I regret that the state of Agriculture continues depressed to a degree painful to those connected with it. Not being myself a representative of that interest, I leave to others the discussion of that important subject; but I trust that, if this House can with justice to other interests, do anything in the behalf of so large a class of our fellow-countrymen, that it will do so. In the settlement of the Tithe question, I think much may be done also by new assessments, taking at their increased value the town and borough population. This has been done in Yorkshire, and no one complains. On the contrary, my learned Friend, Mr. Elsly, the Recorder of York, and the Clerk of the Peace for the West Riding, has informed me that in his late journey over the West Riding of Yorkshire, he met with nothing but the utmost readiness on the part of the trading interest to bear their due proportion. Thus Leeds was doubled, so was Sheffield, so, also, were Bradford and many other towns. But it is from the new Poor Bill that the agriculturists will derive their fullest remedy; and that too with corresponding, and indeed more than equal advantages to the labouring classes, who, from unhappy serfs, *adscripti glebæ*, have assumed the real position of manly and independent labourers. It will be seen, from the following instances which I have collected from the Reports, that these views are not visionary; on the contrary, that they exceed, as far as they go, the earnest expectations of the framers of the measure; and that too without any pressure on the poorer classes; but, on the contrary, with uniform and progressive improvement of their condition. [Mr. Parker here alluded to, but did not read over *seriatim* the Returns which follow.]

Poor—Pauperised parishes—Battle parish—Average annual expenditure for the three last years, 13,000*l.*; joint parochial and union expenditure for last quarter, 870*l.*: being at the rate of about 3,500*l.* per annum. Therefore, saving at the rate of 9,500*l.* per annum, or about 75 per cent.—greatest saving of all.

Uckfield Union.—(From Mr. Hawley's Report.)—Old average expenditure of all the parishes united 16,600*l.* per annum; new half-yearly expenditure, first half-year, 2,900*l.*, being at the rate of 5,800*l.* per annum; saving at the rate of 10,800*l.* per annum, or about 65 per cent.

Midhurst Union, in Sussex.—Reduction from 17,500*l.* to 5,400*l.*, saving 12,100*l.* near 70 per cent.

West Hampnall Union, Sussex.—From 16,437*l.* to 8,280*l.*, saving 8,157., 50 per cent.

"In short, there is reason to anticipate that the saving, in Suffolk alone, from one clear year's full operation of the new system, will repay *threefold* the expense of the machinery of the new Commission, with all the Assistant Commissioners."

Migration.—From 1,000 to 2,000 persons have already migrated from the southern counties to the north, where they have been supplied with places at double the rate of wages they had obtained in their own counties. The control of the Commissioners now extends over near 5,000 parishes, and the barriers to the free circulation of labour have in them been broken down—neither do people go to workhouses. From the 23d of September last, there was in the 335 poorhouses, workhouses, and tenements, belonging to the 204 unions already formed, accommodation for 26,443; whereas the actual number of inmates in them at that time, was only 11,137. In the parishes comprised in the Bishop's Stortford, the Dunmow, Saffron Walden, and Ware Unions, there were, during last year, not less than one thousand able-bodied labourers on the rates. A few weeks ago, there were only fifty.

At Buntingford, not a single able-bodied man on the rates for the last seven weeks.

Whigs and Tories have acted in perfect harmony. The clergy have everywhere lent a most valuable assistance in dissipating prejudices.

Clergymen, farmers, and every person give testimonals of beneficial operation on morals.

Little resistance, except from petty interested shopkeepers. Contentment succeeds disorder.

I turn with far different feelings to the state of trade, and certainly never were there such cheering prospects announced by any Sovereign to any people. The King of the French and the American President have both congratulated their several Assemblies on the same cause, and the King of England has ample reason for the same. The business, too, is sound, and not on speculation. Consignments follow, and do not precede orders. Payments are made in cash beyond all former precedent; and activity, different from the inflated state of 1825, is regulated by prudence. Improvements, too, of a most rapid kind, are making everywhere, not only in England, but in all parts of our dominions. In Lancashire, it is calculated by Dr. Raye, that power to the amount of 7,000 horses will be wanted in two years, and 70,000 or 80,000 people to supply that power. What a prospect does not this open to the southern labourer? Then, Sir, there are rail-roads, opening prospects which I do not attempt to go into—300 miles have already been sanctioned by Parliament; 500 or 600 more will be asked for this session. The iron trade, of course, will participate largely in these prospects. An iron steam-boat is now working on the Indus—an iron rail-road is projected from Calcutta, to cut off the dangerous navigation of the Hoogly. I shall take the liberty of reading a few figures in illustration of this improvement, up to the latest time I have been able to obtain them; but, first, I must say, that the labouring classes have participated fully in these advantages, and that their wages and employment are much better. The consumption, too, of sugar, in spite of its rise in price, has increased; whilst that of British spirits has fallen. The condition, too, of the savings' banks is most satisfactory. Upon consideration, Sir, and out of respect to the time of the House, I shall not withdraw the attention of hon. Members from the speeches and opinions of the leaders of political parties in the House, by reading over in detail the statistical tables which I have prepared as illustrative of the prosperity of trade. I shall only say to the House that I have those tables in my hand; for to prove the prosperity of commerce is as unnecessary as to prove a proposition which no one doubts. When an ancient rhetorician was uttering an oration in praise of Hercules, a hearer asked—Quis accusavit Herculem?

Excess of deposits in Savings' Banks on 20th November, 1835, as compared with 20th November, 1834, 1,150,000*l.*, including Ireland.

Total deposits,	1830 .	£13,507,565	including Ireland.
	1831 .	13,719,495	do.
	1832 .	13,597,884	do.
	1833 .	14,337,521	do.
	1834 .	15,369,844	do.
	1835 .	16,500,000	do.

Cotton.—Consumption of Cotton Wool. In 1833, 293,682,976lbs.; 1834, 302,935,657lbs.; 1835, 330,000,000lbs.; being an increased consumption of more than 36,000,000lbs. within the last two years, or 13½ per cent. on the whole quantity.

To show the vast increase of the cotton manufacture, within the last ten years, I have obtained from returns to this House the following averages of the exports taken for periods of five years each.

Annual average exportation of Cotton Manufactured Goods (exclusive of Hosiery and small wares.)

		Yards.	Yarn.
5 years from	1821 to 1835 .	310,885,781 . .	28,349,587lbs.
5 . . .	1826 to 1830 .	368,597,024 . .	52,732,156
4 . . .	1831 to 1834 .	483,622,178 . .	71,648,305

The Returns for 1835 are not yet made out, but the House will see little reason to doubt, from the statement I have before made of the increased consumption of cotton wool during that year, that the increased exports have been in a similar proportion.

Woollen Manufactures.—Declared value of Exports in 1834, 5,975,415*l* ; and in 1835, 7,050,000*l*., being an increase in the value of woollen goods exported, of upwards of a million pounds sterling, or 18 per cent.

Silk.—Quantity of silk consumed: In 1833, 3,663,679lbs.; 1834, 4,522,352lbs.; 1835, 5,500,000lbs., being an increase of near two million pounds within the two last years.

Linen.—Of linen I have been unable to procure a return for the year 1835; but I have averages (as in the case of the cotton trade) of the quantity of linen manufactured goods exported during periods of five years each. Annual average from 1820 to 1824, 50,298,210 yards; from 1825 to 1829, 53,037,255 yards; from 1830 to 1834, 62,350,345 yards.

Iron.—Cast and wrought iron and steel exported—Declared value in 1834, 1,406,872*l*.; in 1835, 1,680,000*l*., being an increase of 19½ per cent. in one year.

Annual average—(Five years) 1820 to 1824 90,283 tons; 1825 to 1829, 87,237 tons; 1830 to 1834, 142,071 tons;—increase 62¾ per cent.

Prices of bar iron at the works in Wales—1835, April 1, 7*l*. per ton; September 7, 7*l*. 10s. per ton; October 7, 8*l*. per ton; December 7, 9*l*. per ton. 1836, January 7, 10*l*. per ton; January 18, 11*l*. per ton.

Hardwares exported. Annual average—5 years.

1820	1824 ..	9,772 tons..	£1,248,082
1825	1829 ..	11,635 — ..	1,345,645
1830	1836 ..	15,649 — ..	1,483,518

Being an increase in the last ten years of 60 per cent. on quantity—19 per cent. on value.

Principal articles of British manufacture exported, not including some minor articles, on which the returns have not yet been received:—

1833	Declared value	£34.489,385
1834	... ..	36.541,926
1835	.. ..	41,000,000 & upwards.

Per centage increase in 1834, 6 per cent.
Ditto ditto 1835, 13 per cent.

Now, Sir, I attribute this prosperity to the principles of Free Trade which in their infancy have done so much, and which I trust are to be persevered in, and to the security all traders feel in the just policy of the Government, and the certainty that when they sow they will reap a harvest. The American tariff is dying a natural death, and will cease to exist in a few years. With France I hope for a more extended intercourse, worthy of the magnitude and wealth of the two kingdoms. The German League is in array against us; and, if I tell the truth, however disagreeable, it arises from our Corn-laws and our Timber Duties. The noble Lord (Palmerston) cannot prevent it. It will conquer all his diplomacy, unless this House arms him with the power of relaxing the taxes on their raw materials. The noble Lord can only preserve for us the arteries and channels of commerce, the Dardanelles, the free navigation of the Euxine, the Danube, and the Rhine, but the Legislature alone can abate that German League. There is one curious thing relative to the state of trade, viz., that formerly machinery could not keep pace with the raw material, whereas now the raw material can not keep pace with our machinery. This is the case in woollens, in silk, and even in cotton. Sismondi was afraid of machinery, but events have proved without cause. In this allusion, however, I desire it to be understood that I only am responsible. My right hon. Friend, the Member for Manchester, may do much if he could reduce duties. It would further advance the activity of trade; indeed, I believe it would produce a state of things of which the world has never seen the like. These opinions may seem chimerical, but it is my firm conviction they are sound. As for the German League, upon the whole, Sir, I am of opinion that the prosperous state of national affairs owes its origin to the two causes I have mentioned, for both of which we have to thank a liberal Administration. The principles of free trade have given a stimulus to the active industry of the country, and the wise reforms of the Government have given men of substance and intelligence confidence in the integrity and sound discretion by which the country is governed. I believe, too, that if we can tranquillize Ireland, by doing justice to its inhabitants, we shall effect a great moral and social change in its character. Capitalists will send over their money, and public and private works will employ the labouring poor. In short, whatever may be the benefits derivable from liberal measures in this country, they are of less consequence here than they are in Ireland. In order, therefore, to preserve a liberal Government both here and there, and more especially to give Lord Mulgrave the opportunity of developing the energies of that country, I hope the House will vote the Address which I have seconded.

Sir *Robert Peel*:—The Speech which has been delivered from the Throne this day naturally suggests, as preceding speeches have done, many considerations, which press for the decision or upon the attention of Parliament, connected with the foreign and domestic policy of this country. I will reverse the order in which those great topics for our consideration were referred to in the speech of my hon. Friend, the Member for Staffordshire, who moved the Address, and will briefly direct attention, in the first instance, to those parts of the Royal Speech which refer more immediately to the foreign policy of this country. I rejoice to hear that his Majesty entertains a confident hope of a continued maintenance of peace. I rejoice, also, to hear that his Majesty is enabled to congratulate himself on the continued maintenance of a good understanding with his powerful neighbour the king of the French. I consider the maintenance of that good understanding to be essential to the best interests of both countries, and certainly a great security for the continued tranquillity of Europe. I hope, indeed, that all the countries of Europe are so deeply impressed with the importance, nay, the moral obligation of maintaining peace, unless war be necessary for the vindication of national honour, or the protection of some essential interest, that, even if the continued good understanding between England and France did not afford a strong guarantee for the continuance of peace, the breaking out of hostilities in Europe would be an event not likely soon to occur. I trust also that the increased commercial intercourse between this country and France will still confirm their common interest in maintaining the relations of peace and amity with each other. Another source of satisfaction to me—which, however, I derive not from the Speech from the Throne, but from intelligence I have lately received in common with the public—in the prospect of an amicable termination of the differences which have for some time existed between France and America. Both those countries ought to understand that the great parties, and indeed all intelligent persons in this country, who take a more enlightened view of what is really for the interest of the country, than superficial observers gave them credit for, are unanimous in wishing that the differences between them may be speedily and amicably terminated. I believe there is no party, and scarcely an individual in this country who would contemplate with any feeling but that of pain the commencement of hostilities between France and America. I think there is no man—I speak thus generally, for it is my belief that the observation will apply almost universally—who does not think that any petty advantage which this country might derive from the commencement of hostilities between two such powerful parties would be dearly purchased by the hazard which would occur of a general war, and the common injury which the interests of industry, humanity, and morality must thereby sustain. With respect to Spain—I do not quarrel with the terms in which that country is alluded to in the Speech from the Throne, or the Address in answer to it, although I dissent from the policy which our Government is pursuing towards Spain. I cannot concur with the hon. Member for Sheffield in congratulating the House on the manner in which our interference in Spanish affairs has taken place—I, for my part, regret that his Majesty's subjects have been permitted to enter as parties into the conflict now going on in Spain. I do not perceive that such interference on our part has in any way had any tendency to diminish the shameful and disgusting practices (I care not by which party committed), which have cast a stain upon the national character of Spain. I perceive, however, that his Majesty's Speech contains a reference to Spanish affairs, which I certainly did not expect. It contains a direct reference to the conduct of another Government towards its own subjects. The Speech undertakes to pronounce an opinion upon the prudence and caution of the course pursued by the Government of the Queen of Spain. I am most certainly surprised to find such a paragraph introduced into a Speech framed by the present Government, because I recollect that when, so lately as 1830, reference was made by us to the course which had been pursued by the King of the Netherlands, a most severe censure was passed upon it. We were asked whether we had not enough to attend to in looking after our own affairs—and significant allusion was made to India and Ireland—without passing an opinion upon the conduct of a foreign Government with respect to its own subjects, and we were forewarned—and it seems with good reason—that the precedent then established would hereafter be followed. The introduction of the words which I have alluded to, shows the character of the part which we are acting with respect to Spain; it shows that we are becoming daily more and more parties to the contest—parties not directly by the manifestation of open hostility; but it is a fact that, with respect to Spain, we have, without intending to incur the risk of war, departed from a principle which I thought was held sacred by hon. Gentlemen opposite; namely the principle of non-intervention in the internal affairs of other nations. The cause of quarrel could never be taken into consideration upon the principle which I thought hon. Members opposite were determined to support, and therefore, by lauding the conduct which the Queen's Government has pursued, they are establishing or confirming, if they please, the precedent of interference in the domestic affairs of other nations. Notwithstanding the confident assurances of the continuance of peace which are contained in the Royal Speech, there is, it appears, to be an increase in the Naval Estimates. I presume that the increase will be considerable, since mention is made of it in his Majesty's Speech. It is not absolutely necessary that this should be so; but I presume, that if it were intended to make only what might be considered an ordinary increase in the estimates, no direct mention of the circumstance would be made in the Speech from the Throne. Some of my Friends near me think that this passage in the Speech is intended as a reflection upon the Government which preceded the present. We have little time to scrutinise documents of this description; but, from my own observation, I do not consider that the passage in question bears that imputation. When I and my hon. Friends prepared the Navy Estimates last year, I have no hesitation in saying that we considered it to be our duty to reduce them, as well as every other estimate, military and civil, to the lowest point consistently with the protection of the honour and the true interests of the country. I apprehend, however, that the reduced estimates which we framed, met the general assent. The hon. Member for Middlesex, it is true complained that the reduction had not been carried further; he proposed, I believe, a reduction of ten thousand men. My right hon. Friend behind me doubted whether reduction had not already been carried further than was consistent with the true interests of the country; but I did not understand that the House generally entertained any doubt as to the propriety of the reductions proposed, and, therefore, I differ from those of my Friends who think that the passage in the Speech which refers to the proposed increase of the naval force can be meant to imply a reflection upon the Government which preceded the present, that it neglected the naval honour; and I am glad to perceive that my impression is confirmed by the assent of the right hon. Gentleman opposite. As there are so many other topics of urgent domestic interest adverted to in the Speech, I shall postpone for the present all further reference to what it says respecting the foreign policy of the country, and shall proceed to offer a few remarks upon the principles which it is said are to govern its domestic administration. We are told that material changes, which are called, " better provisions," are to be effected in the departments of law, especially in the Court of Chancery. To the manner in which these changes are recommended I do not object. It implies no pledge, but leaves every one at liberty to act on his own views of the nature and extent of the proposed Reform. Without, therefore, pledging myself to any future line of conduct, I will say that, if I should be compelled to come to the conclusion that it is important to make an alteration in the high and distinguished office of Lord Chancellor of England, by separating its judicial from its legislative functions, I shall come to that conclusion with great pain. It will, however, require a great deal to convince me that it is either right or expedient to divest so high a judicial officer of all his political functions, especially when it is well known that it is those functions which secure to the Lord Chancellor his pre-eminence as a judge. I thank the hon. Member who seconded the Address for the candour with which he had admitted that there had been a great failure in the appointment of Commissioners to exercise the powers of the Great Seal. Indeed, that failure must be admitted by everybody who knew that the arrears in the Court of Chancery had mounted up to 800, from 200, during the period in which the Commissioners had presided over that Court. [Mr. *Parker* twice said a few words in explanation] It may promote the convenience of the hon. Member to interrupt me as I proceed, but it will promote the convenience of the House still more if the hon. Member will not interrupt me again until I have concluded my speech. The salary of 10,000*l.* a-year, allotted to the Lord Chancellor, had been given to the three Commissioners, the hon. Member has explained how they have divided the business to delay it, has he also inquired whether the Commissioners have not divided that sum among them? Now, as they have increased the arrear of business[" No, no," from Mr. Parker],—as they have done no good whatsoever, according to the hon. Member. [Mr. Parker had not used any such language.] Have they, I asked last year, and I repeat the question now, have the three Commissioners, who have done no good, according to the hon. Member except it be a good to increase the number of arrears, have they divided among themselves the salary of the Lord Chancellor? For my part, I wish to see the important office of Lord Chancellor maintained upon its present footing, and the same high and independent confidence reposed in it by the Bar that was reposed in it at present. It is not for me to inquire why the confidence of the Crown was not continued to Lord Brougham, the late holder of that high judicial office. It is enough for me to know that another arrangement was made. That arrangement continued almost up to the meeting of Parliament, and was not altered until after the appearance of a pamphlet by Sir Edward Sugden. The appointments subsequently made might not stand in the relation of cause and effect to that pamphlet, but to the world it appears as if never pamphlet had been more efficient, for it seems to have conferred three offices, and to have created three peerages. His Majesty's Speech also refers to the measures which are to be introduced into Parliament on several matters of important domestic interest. It refers to all of them, with one exception, in a manner which is not calculated to invite any opposition. With respect to the commutation of tithe in England and Wales, it suggests the propriety of taking it into immediate consideration. It lays down no principle on which the measure is to be founded—it calls for no declation of opinion from the House as to the mode of dealing with it. I introduced into Parliament last Session a measure founded on the principle of voluntary commutation. The noble Lord opposite dissented from the principle of that measure, and declared that no measure would be satisfactory which did not include a compulsory obligation to commute the tithes. In my opinion, it will be a matter of difficulty to reconcile the principle of compulsion with justice to the tithe-payer and to the tithe-owner. If the noble Lord can reconcile that principle with the just claims of those two parties, I shall be ready to give to the noble Lord's plan all due consideration, as I am convinced that the time is come when a permanent settlement of the Tithe Question must be made. I will pass over many of the points referred to in the Speech, not wishing to excite a desultory conversation, which can lead to no results, upon matters which require, and must undergo before long, full discussion. I will only say, that whatever opinions I may entertain upon many of the measures which it is the intention of his Majesty's Government to lay before the Parliament, I have no objection to urge against the manner in which they have been mentioned in the Speech from the Throne. There is one point, however, a solitary exception, as I have before stated, to the rest of the Speech on which I wish to say a few words, in order to guard myself, in future, from misrepresentation. On that point my suspicions are awakened, not only by the terms in which the subject is referred to in the Speech, but also by the singular contrast which exists between those terms and the terms in which every other topic referred to in the Speech is mentioned. Whatever difference of opinion may prevail on political questions on the two sides of that House, the evil effect of that difference can only be increased by Members allowing themselves to become, through negligence, or, still worse, through intention, parties to any deception on the public. The particular subject to which I referred, and to which I only refer, for the sake of guarding myself against misrepresentation, is the subject of the intended reform in the Municipal Corporations of Ireland. I do not wish to enter at large into that question at present, which would be an inconvenient time for such a discussion; and the time will speedily arrive when such a discussion must be entertained, and when the House must devote itself to its full consideration. I do not refer to this subject so much on account of its own merits, as on account of the pledge, which, unless I am much mistaken, the Speech and the Address both called upon us to give. The terms in which the reform of the Irish Municipal Corporations are referred to are briefly these:—"We assure your Majesty that being already in possession of the Report of the Commissioners appointed to inquire into the state of the Municipal Corporations in Ireland, we entertain a hope that it will be in our power to apply to any defects and evils which may have been shown to exist in those institutions a remedy founded upon the same principles as those of the Acts which have already passed for England and Scotland." It appears to me, that if we consent to that passage in the Address, we shall pledge ourselves to apply the same principles of Municipal Reform to Ireland as we have already done to England. I might hereafter say, that I did not put that construction upon the passage which I have read, but I am desirous not to be a party to any misconception upon the point. If it be meant that, by agreeing to these words, I shall give the pledge which I have described, I, on the truest grounds, object to being called upon to do so. I object to being called upon to give such a pledge, because (apart from the merits of the Question) I think it unfair that I should be placed in that position at an hour's notice. I assume that it is intended to involve me in a pledge—that if I should assent to this part of the Address without protesting or moving an Amendment, hon. Gentlemen opposite would say, hereafter, when I objected to their Measure, "you are too late; you pledged yourself on the first day of the Session to apply the same principles of Municipal Reform to Ireland as have already been applied to England and Scotland." I say that it is unfair and unjust to call upon me, at so short a notice, to pledge myself with respect to so important a matter. The calling upon me to give that pledge, supplies you with no advantage for the ultimate decision of the Question, unless it is meant unfairly to entrap me, and thus fetter my future conduct. You should have contented yourselves with a simple notice, that the subject was to be brought under consideration, and then we should have come to the discussion with the same advantages which you yourselves possess; but instead of that, a Speech is delivered from the Throne this day, upon which an Address is afterwards founded, of whose points no person is cognizant but yourselves, and then you call upon us, without notice, and meeting in London now for the first time after the recess, to pledge ourselves to adopt a most important course of proceeding. I say that this is unjust, and inconsistent with the course which has been pursued upon all similar occasions during the last twenty or thirty years, by all Governments and almost all Oppositions. I maintain that, during the period I have stated, it has been an object to avoid calling upon an opposing party to give such a pledge as that now required; and the Speech from the Throne, and the Address (which is the material point for us to consider) have been so framed, that although the intentions of Government upon subjects of the utmost importance, and referring to measures of the first concern, have been clearly exhibited, the necessity of moving an Amendment has been imposed upon the Opposition. I think there is a great advantage in our being able to meet on the first day of the Session without a division. So far was I from advising any preconcerted Amendment upon the present occasion, that the advice I gave, as my friends know, was, that they should move no Amendment on the first day of the Session to the Address to the Throne from both Houses of Parliament, unless the necessity for doing so should be imposed upon them, contrary to usage. I declare sincerely, that to call upon the House to give a pledge upon this point, is contrary to the practice observed during the last twenty years. I do not undervalue the Measure which is about to be proposed, but I assert that measures of at least equal importance, and with respect to which the most violent opposition was expected, have been referred to upon former occasions, and yet the Address has been so framed as to dispense with the necessity of an Amendment. When the Measure for relieving Roman Catholics from civil disabilities was referred to in the King's Speech, in 1829, it was done in such a manner that the party who opposed that measure did not feel it necessary to propose an Amendment. The right hon. Baronet opposite (Sir J. Hobhouse) says that the Government was not strong then—and I suppose he intended me to hear the observation; but whatever I may think of the correctness of his opinion upon that point, he surely will not deny that the Government which brought forward the Reform Bill, after the dissolution of Parliament in 1832, was strong enough to have been able to have carried an Address, pledging their opponents to the principle of that Measure; and yet they abstained from doing so. I say, therefore, that against the course now proposed to be adopted I have the experience of all past Addresses during the last twenty or thirty years, which, though referring to important matters upon which the minds both of the Ministers and their opponents were made up, exacted no pledge from any party. I further refer, as a proof of the injustice contemplated by that part of the Address which I deprecate, to the remainder of the Address itself. It touches upon other points, with respect to which no pledge is demanded—namely, tithes, alterations in the Court of Chancery, and the introduction of poor laws into Ireland. With respect to these topics the Address confines itself to saying what I wish to be said upon the subject of Irish Corporations — that the House is prepared to give to any measures proposed by the Government impartial consideration; upon the point of Corporations in Ireland alone does the Address go further, and declares that such consideration only will be given provided that the Measure proposed be founded upon the same principles as the Acts which have already passed with reference to Corporations in England and Scotland. Looking upon the Speech from the Throne as the Speech of Ministers, I, with great respect protest against their right to prescribe to me what shall be the principle of the Measure about to be introduced. "Leave that," I will say, "to the fair consideration of Parliament - state that it is your intention to introduce certain measures—state that you feel the necessity of applying a remedy to certain grievances—but state that you leave the consideration of that remedy to Parliament. Upon other points his Majesty is made to express his firm expectation that they will be so treated "as to increase the happiness and prosperity, by promoting the religion and morality of my people;" but the subject of Municipal Corporations in Ireland is specially excepted, and we are not only told that we must consider of a remedy, but the principle upon which that remedy shall be founded is prescribed. Again I protest against the justice of this proceeding apart from the consideration of the merits of the question. Fair notice ought to have been given; and if it were intended to introduce this pledge into the Address, we ought, at least, to have had the advantage of the practice which prevailed in former times, and been allowed twenty-four hours' consideration, and not twenty-four minutes, before we were called upon either to acquiesce in a declaration by which we should hereafter be bound, or to protest against it by moving an Amendment. I can appeal to another authority in favour of the view which I take of this subject—namely, to the experience and good sense, and sense of justice of the Gentleman selected as the mover of the Address; for in the Speech in which he recommended the adoption of the Address, he distinctly told the House that he anticipated no objection to it, because it called for no pledge. If the hon. Baronet's interpretation of the Address be correct—if Ministers adopt his honest suggestion, on candid admission, they cannot object to clear up all doubt upon the point by acceding to a verbal alteration, for the last thing which I wish is, to be under the necessity of moving an Amendment; but at the same time I am resolved that I will not incur the risk of exciting expectations which, in all probability, I shall feel myself called upon to disappoint, nor embarrass my future proceedings by unnecessary pledges. It may, perhaps, be said that there is a distinction between the question of Irish Corporations and the other matters referred to in the Speech—such as the question of English tithes, reform of the Court of Chancery, and the introduction of poor laws into Ireland, because a measure has passed through the House of Commons with respect to the first, which is not the case with regard to the others. When the Bill respecting Corporations in Ireland was introduced last year, I protested against being called upon to consider it at that time. I stated that at the time it was introduced I had no opportunity of reading the Report of the Commissioners. I read neither the Report nor the Bill, and I reserved to myself the right—whatever might be the decision of the House respecting the measure—of acting as I thought proper, with regard to it, if it should be again introduced during the present Session. The distinction, however, which I am supposing might be attempted to be set up, on he ground that the Bill for altering Irish Corporations received the assent of the House of Commons, does not avail. What course has been taken with respect to the appropriation principle? That was a principle to which the majority of this House assented, and not only assented, but recorded their opinion, that no settlement of the question of Irish tithes would be satisfactory, or conduce to the peace of Ireland, of which the principle determined on should not form an essential part; and yet in your Address you have not called upon us, the minority, to assent to that principle. And wisely have you abstained from doing so. I am not referring to this omission by way of taunt. However firmly your own minds may be bent upon carrying that principle into effect, and however essential it may be deemed by the majority of this House, I think you have acted wisely in not provoking disunion on the first day of the Session, by calling upon the minority to affirm it. If, however, you pursue this course with respect to the appropriation principle—if you feel that there is decorum in not calling upon us to acquiesce in that principle—why do you not act in the same way with reference to Corporations in Ireland? It may be said that the Report of the Commissioners has been presented; and so it has; but it is only Ministers, or Members immediately connected with Government, who have cognisance of the Address intended to be moved; and no person from reading the Report of the Commissioners could suppose that it was meant to call upon the House for the pledge contained in the Address. At half past two o'clock, the Speech from the Throne is delivered, in which Parliament is called upon to consider the subject of Irish Corporations, and at four o'clock we are required to pledge ourselves to the precise principle of the measure intended to be introduced. I find that the Commissioners themselves have, in their Report, studiously avoided suggesting any principle upon which a measure should be founded. If the Commissioners, after full deliberation, had suggested a comprehensive remedy for the evils complained of, I can conceive that there would have been some ground for calling upon us to acquiesce in their plan; but the Commissioners conclude their Report by expressly remarking, "We have not thought ourselves authorized to recommend specific measures of improvement in our reports, save so far as the notice of, and necessary observations upon, the defect, and cause of evil, tend to suggest the remedy. But we feel it to be our duty humbly to represent to your Majesty, that the early and effectual correction of the existing evils, and the prevention of future mischief, are anxiously desired, and essentially requisite; and that these benefits can be attained only by means of a general and complete reform of the constitution of the Municipal Corporations in Ireland." If the Commissioners, after the fullest consideration, abstained from suggesting any measure, is it consistent with justice that, at an hour's notice, we should be called upon to pledge ourselves not only to the application of some remedy, but even to the principles upon which the proposed remedy shall be founded? Another very important subject—namely, the introduction of Poor-laws into Ireland—is referred to in the Address; and let the House contrast that part of the Address which relates to Municipal Reform in Ireland, with the phraseology in which Poor-laws for Ireland are referred to, and you will find the variance so strong, the distinction of expression used so remarkable, as to strike one forcibly on hearing it. If with a knowledge of this difference of expression I were to consent to the pledge now proposed, I may be told at a future day, when rising to oppose any details of a Bill for the Reform of the Irish Municipal Corporations, "You are too late — you committed yourself to the principle of the measure by acquiescing in the Address, and you cannot now oppose it." It would be added, "See what was said relative to Irish Corporations; a specific principle was pointed out; while in the case of Poor-laws, Parliament was simply invited to approach the subject with caution, proportionate to its importance and difficulty; but no particular measure was recommended." It would be said, that we had raised expectations with respect to Irish Municipal Reform which we could not fairly disappoint, and it would be urged that the same principle should be applied to Ireland as to England and Scotland. This argument would be strengthened by a reference to the manner in which Poor-laws for Ireland are adverted to in the Address. I am aware that various opinions have been entertained on that subject, and that the right hon.

Chancellor of the Exchequer himself has, hitherto I believe, been opposed to their introduction. Why do I advert to this difference of opinion? Simply because the opposition which has been offered showed that, in the opinion of some gentlemen opposite, a principle esteemed good for England is not, as a matter of course, necessary for Ireland. The terms in which Ministers speak of Poor-laws for Ireland are cautious and measured, and simply suggested to Parliament the propriety of looking to the experience of the effect already produced by the Act for the amendment of the laws relating to the poor in England, but in no respect fetters our opinions, or seeks to tie us down to any fixed principles. The Address proposes to thank his Majesty for the information that a further report of the Commission of Inquiry into the condition of the poorer classes in Ireland will speedily be laid before the House, and to assure his Majesty, that Parliament will approach the subject with the caution due to its importance and difficulty, and, impressed with a conviction that the experience of the salutary effect already produced by the Act for the amendment of the laws relating to the poor in England and Wales may, in many respects, assist our deliberations. Why may we not claim the humble privilege of being allowed to apply the same cautious deliberation to a subject of equal importance and difficulty? Why not treat the question of Irish Municipal Reform in the same manner as is here suggested in reference to Irish Poor-laws? Your own Address is evidence against the impolicy and injustice of prematurely pledging the House on one point while you abstain upon another. Do I propose that there should be no Reform in Irish Municipal Corporations? Far from it. Am I prepared to defend the exact principle on which they exist and operate? I am not. But I wish not to enter upon the Question upon this occasion, not doubting but full opportunity will be afforded for discussing it. I content myself with stating my objections to being pledged beforehand to a particular course. I am asked, and so is the House, to promise to apply to Ireland the same principles of Municipal Reform which have been already applied in England and Scotland. What are those principles which, without exception or reservation, we are called on to affirm? The destruction of self-election in Corporations might be a principle; but can anything be more difficult than to define its precise limits and operation? You say that the destruction of self-election is one of your principles, but I repeat it is hard to define those principles exactly, and where a latitude is allowed, gentlemen may be entrapped into pledges and concessions they never contemplated. In England the rate-payers at large, in Scotland the 10*l.* householders are the constituent body. If I assent to the Address, and afterwards see reason to move, on the introduction of an Irish Municipal Reform Bill, that in Ireland 50*l.* householders should vote in the election of the corporate bodies, am I to be taken as adhering to or departing from the principles now referred to? If I assent to the address, reserving to myself the right and power to alter the details of the proposed Bill as I please, am I not, in point of fact, encouraging delusion? I am prepared to give the important subject of Municipal Reform in Ireland full and fair consideration, but I reserve to myself the power of applying my mind unbiassed and unfettered to the Question. I admit that there must be extensive alterations in the Irish Municipal system, but I am not going to enter into the merits or details of the subject. I reserve to myself the right of considering the subject maturely in all its bearings, uninfluenced by fanciful and merely plausible analogies. I intend to look not at words but things. I will consider the bearings of this Question on all the interests of the empire. It is not necessary for me to defend abuse—it is not necessary for me to maintain self-election—it is not necessary for me to attempt to vindicate exclusion from offices connected with the administration of justice—it is not necessary for me to contend for the misappropriation of funds, or to refuse to take effectual security against future misappropriation; but when I come to consider this Question, I will look at the whole state of Ireland, and I will ask myself whether, under the pretence of removing one exclusion, I shall not be confirming another. I will look to whom power will be given, and I will look to what objects the power so given will be directed. If I believe that power will be conferred in such a way as to conduce to the strengthening of the connexion between the two countries—if I believe that it will confirm those ancient settled institutions constituting the Government, which my hon. Friend, the Member for Staffordshire, says he is determined to maintain, then I will consent to give it; but I will not be deceived by any plausible analogies, where no real ones exist—I will not be bound to apply the same principles with respect to Municipal Corporation Reform in Ireland which have been applied in England, unless I am certain that they will be employed in the same manner and for the furtherance of similar ends. Having received no assurance that it is not intended to bind me by a pledge, and being most anxious to guard against any possible misconstruction—feeling too that the course now taken is contrary to that pursued in other Parliamentary addresses, and inconsistent with Parliamentary usages, I propose to move the omission of the objectionable words; substituting for them others which, so far from excluding a measure of Municipal Reform for Ireland, will leave the question open for every one of the most extreme opinions to approach as he may please. In taking this course I entertain a confident hope, although I find it necessary to propose an amendment, that there may be no division on the Address, and I entertain that expectation because Ministers may concur in my proposition without relinquishing a firm determination to bring forward their own principles, and enforce them in any measure which they might propose to the House. I will read the words of the Address as it stands at present, and then propose an Amendment. The Clause to which I object is to the following effect,—to assure his Majesty, that being "already in possession of the Report of the Commission appointed to inquire into the state of the Municipal Corporations in Ireland, they entertain the hope that it will be in their power to apply to any defects and evils which may have been shown to exist in those institutions a remedy founded upon the same principles as those of the Acts which have already passed for England and Scotland." I move that those words be omitted, for the purpose of inserting the following,—" to assure your Majesty, that being already in possession of the Report of the Commission appointed to inquire into the state of the Municipal Corporations in Ireland, we will proceed without delay to the consideration of any defects or evils which may have been proved to exist in those institutions, for the purpose of applying such remedies as may obviate all just causes of complaint, and insure the impartial administration of justice." I have purposely framed my Amendment in a way which will render it possible for Gentlemen opposite, though retaining their own opinions on the subject of Irish Municipal Reform, and determined, when the proper time comes to enforce their principles to the utmost of their ability, to adopt it, to avoid an appearance of disunion on the Address by concurring in my proposition.

Lord *John Russell* rose and said, he thought he should best consult the convenience of the House, and certainly his own, in rising immediately after the right hon. Baronet, to offer some remarks upon the observations which had just fallen from him, and upon the Address which had just been proposed by his hon. Friend near him. He should take the various topics in the order they had been touched upon by the right hon. Baronet; and first to those respecting our Foreign Affairs. The right hon. Baronet's first criticism had been directed against that passage in the Address, or rather in his Majesty's Speech, which referred to the part taken by this country in respect to Spain, which the right hon. Baronet declared to be a breach of that principle of non-intervention upon which this Government had hitherto boasted to have acted. Surely the right hon. Baronet must recollect that, opposed as his Majesty's Ministers were to the principle of intervention in the affairs of other nations in general; yet, that as regarded Spain, this country was a party—a treaty, which, of course, the Government was bound to carry into execution. Whether intervention or non-intervention were the best principle, was not for him now to discuss in respect to our relations with Spain; for here his Majesty was already bound by a treaty with other foreign powers, which he could not possibly depart from. With respect, therefore, to our interference, that was regulated by a treaty which he believed it was a matter of boast on the part of the Government of which the right hon. Baronet was at the head—it was certainly a subject for just commendation of the conduct of the Duke of Wellington—that whilst that noble Duke held the Seals of Office as Secretary for Foreign Affairs, he carried into effect the stipulation of the treaty to which he had alluded, and studiously prevented a levy of troops being made in this country for the aid of Don Carlos. Whatever blame, therefore (if any), attached to the present Government for acting on the stipulations of that treaty, should, in all fairness, be also visited upon the Government, by which they had been preceded. The right hon. Gentleman next alluded to the proposed increase in the Navy Estimates, and seemed to ask, though not in distinct and direct terms, whether the passage in his Majesty's Speech, which had reference to this subject, was to be taken as indicative of a warlike intention. Certainly no conception of that kind was justified by the fact that his Majesty's Ministers had thought it right to propose an increase in the naval force of this country sufficiently considerable to warrant the mention of it to Parliament, and that on grounds and considerations which, in the course of the summer, had been well weighed and discussed by the King's Ministry, but chiefly on this ground, that this country being a great maritime country, and other Powers preparing a force at no great distance from her own coasts, she ought not to be inferior in maritime preparations to other Powers. He thought this a wise principle; it was a principle not implying anything hostile to Foreign Powers; but it was one, at the same time, which justified us in placing ourselves in that situation, that no power would be inclined to insult this country from a notion that by our weakness we were unable to resent any affront that might be offered to us. The precautionary measure which his Majesty's Government, then, had considered it their duty to recommend was, so far from being regarded as a declaration of war, to be looked on as a provisional security for peace. He heard with great pleasure (a pleasure which he was sure would be partaken by all the inhabitants of this country) those observations which the right hon. Baronet had made on the offer of mediation which had been proffered to the Governments of France and America; and he readily and heartily joined the right hon. Baronet in the belief, that if our friendly interference in the decision of a misconstrued point of honour were sanctioned, it would be successfully exercised in re-establishing those sentiments of sincerity and good will which should subsist between those great and powerful nations, and bringing them again into that state of harmonious intercourse which had (but for a short period) been unhappily interrupted. He would not then enter at any length into the consideration of the topics which the right hon. Baronet had referred to with respect to the allusions in the Speech from the Throne to the proposed reforms in the Court of Chancery. At another time his hon. and learned Friend, the Solicitor-General would be enabled to show, that whatever might be the arrear of business in the Court of Chancery, it had not been considerably augmented by putting the Great Seal in Commission. He believed, that it might be shown from a proper comparison between the arrears when the Seal was put in Commission and the present arrears, that the Commission was not the cause of any increase that had taken place; but this he would at once say, that the Government having had it in contemplation, from the moment of its construction, to provide for a different administration of justice from that which had existed up to that period in the Court in question, considered it wise and expedient to adopt a temporary measure. The course which had frequently been taken before, of putting the Great Seal in Commission, and trusting it to those who not only had great experience and reputation to sustain their authority in those Courts in which they presided, was again followed, and persons were now placed at the head of the Courts, who agreed in the opinion, that the time was come for Reform in those Courts to take place. He would only further observe, that when the question of maladministration in the Court in question was brought before Parliament last year, he stated, as the decided opinion of Government, that provision for an additional permanent judge should be made in the Court of Chancery, but that as to the total separation of the judicial and political functions of the Lord Chancellor, that was a question of the greatest possible importance, and one which would require the most mature consideration. He would say no more at present on that subject than just to remark, that when the plan of Reform was brought forward, he trusted it would meet with the approval of the House, not only by reason of the authority of those from whom it emanated, but also from the importance—he had almost said the paramount importance—which it was to the country to have a measure of such a nature carried into effect. And now, Sir, said the noble Lord, I come to that question on which the right hon. Baronet has not merely made critical strictures, but has thought right to move an Amendment to the Address. Sir, I confess, that in framing that Speech, sufficient care was, as I thought, taken, not to pledge the opinion of Members of either House of Parliament, beyond what they may be fairly called on to subscribe to, without any sacrifice of independence, and without at all diminishing that right to which, beyond all doubt, they are entitled, of expressing and acting on their opinions, when the measures to which it referred, came to be considered. Let us see the cautious, and, as I consider, the guarded words of the Speech on this point: "You are already in possession of the Report of the Commission appointed to inquire into the state of the Municipal Corporations in Ireland; and I entertain the hope that it will be in your power to apply to any defects and evils which may have been shown to exist in those institutions, a remedy, founded upon the same principles as those of the Acts, which have been already passed for England and Scotland." "I entertain the hope," are the words of his Majesty; and to these we respond, in the Address to the Crown, in these terms: "We partake in the hope expressed by your Majesty." "Oh! but (exclaims the right hon. Baronet) it is wrong of the King's Ministers to entertain any such hope: they should, on the contrary, declare that those principles which have been established in England and Scotland—the principles of vigilant popular control and responsibility—that these principles, which are in accordance (I must assert) with the principles of the British Constitution, and with all our ancient laws, are totally inapplicable to the laws by which Ireland is to be governed, and that no Minister should entertain the hope or consent to partake in the hope of seeing those principles carried into operation." Sir, instead of embodying these sentiments in the Address to the Throne, we have thought it the wisest course to say, that we do partake in the hope of seeing these principles carried into effect in Ireland. There is nothing to prevent us from coming to that as a sound conclusion, though the words, "we entertain the hope that it may be in our power," are sufficiently cautious in excluding any unqualified pledge upon the subject. And what are these principles, for we of course make no allusion whatever to details? The right hon. Baronet in his speech, has in truth acceded to the correctness of the views which we have expressed on this question; for he has told you, that the regulations with respect to elections under the Municipal Acts vary, in England and Scotland. In the former, ratepayers resident for a period of three years, are entitled to vote for burgesses, whilst in the latter the qualification to vote is confined to 10*l.* householders: that in England the council recommend certain magistrates for the approval of his Majesty, and that on the other hand, in Scotland the choice of gentlemen who, for a certain period, perform the functions of magistrates, is confined to the electors, without requiring the sanction of his Majesty. These, I agree with the right hon. Baronet, are questions of detail; and when it is said in the King's Speech that the principles which are applied to England and Scotland should be also carried into operation with respect to Ireland, it is quite clear that you are not to be bound down to follow these details I have mentioned, by any forced or implied acquiescence in an opinion that precisely the same provisions should be applied to Ireland as those embraced in the two measures of municipal reform already passed; but it is equally clear that you are asked to give your opinion as to whether the general principles of those Acts—namely, popular election and control as opposed to self-election and abuse—should be made applicable to Ireland as well as to England. For the adoption of these general principles only, you are required to express a hope. Sir, I say, that if the right hon. Baronet do not partake, nor any other hon. Member, do not partake in that hope which alone the King's Speech expresses, they may consider it their duty fairly to express their dissent to any such doctrine; but I can say for myself and my Colleagues about me, that we are persuaded that these same principles may be applied to the municipal government of the towns of Ireland. We do not merely, Sir, entertain the hope, but we entertain the conviction of the truth and justice of the assertion, that the time is come when the differences of creed and sect in that country should not constitute an impassable barrier against the admission of a large and influential class of his Majesty's subjects to the enjoyment of the benefits which must result from the establishment of a municipal system of government in that country, founded on the fundamental principles of the British Constitution. Entertaining, as we do, that conviction, the course which we have adopted on this occasion, is strictly in accordance with that which the right hon. Baronet himself took in the year 1829, when the question of the Catholic claims was about to be submitted to Parliament, and when Parliament was called on in the Speech from the Throne, to enter on the whole consideration of the state of Ireland, with the view to a satisfactory adjustment of that question. I maintain that every man who gave his vote in favour of that Address was much more strongly pledged in favour of the views of the Government than the present Address could possibly be supposed to bind any hon. Member who may support it, because in the former case, he distinctly and unequivocally engaged, no matter what his opinions might be as to the justice of conceding those claims, to go into a Committee of the whole House in order to consider them. Now I will take the liberty to quote a passage from an address of the right hon. Baronet delivered on a former occasion, not with a view of preferring any charge of inconsistency between the observations which he has delivered to-night, and the sentiments which he expressed at the period to which I allude, but for the purpose of submitting to the calm deliberation of the right hon. Gentleman and the House, a passage of great weight in itself, from the wisdom it discloses, and of great individual importance, from the fact of its having proceeded from the right hon. Baronet himself. When the Roman Catholic Relief Bill was under consideration, the Council of the City of London presented the right hon. Baronet with the freedom of the city, and upon that occasion it was, that the right hon. Baronet thus addressed them. It was to this effect:—" This Act of Parliament will be a dead letter, unless it be enforced with the concurrence of the bodies whom it affects, and, therefore, I make no doubt that you will hold out the right hand of fellowship to your Roman Catholic brethren. I trust that the effect of the measure will be, to restore harmony to all parts of the community, through a consciousness of the privileges which will be enjoyed under the British Constitution, without distinction of party or religion.' That was the advice which the right hon. Baronet gave the Corporation of the City of London in the year 1829, with respect to the Catholic Relief Bill. How is the case altered by the present situation of affairs in Ireland? Have these distinctions of party and religion been utterly effaced in the management of the local government of the towns throughout Ireland? Or is it not a fact which is undeniable, that the great mass of the people have been carefully and totally excluded from all control over the corporate bodies. Well then, I ask, do we not so far break down those barriers of monopoly and exclusion which exist in Ireland, by resolving that popular election should carry into the common council of the several towns, all the men of wealth, respectability, and character, that dwell in them, be their creed or party what it may. I do think, I acknowledge, that it would grievously disappoint that hope if the Amendment of the right hon. Baronet were carried. I do think, that if instead of his Majesty's Speech (which, after all, be it recollected, pledges you to no more than acting on the same principles to Ireland that you have done to England and Scotland), you omit the words so often alluded to to-night, and say that you will merely endeavour to amend what you should at once announce your willingness thoroughly to reform, you will bring on yourselves a suspicion that you are not about to treat Ireland with the same justice with which you have treated England and Scotland, and that we hesitated to perform our parts towards Ireland, through apprehension of some danger which has not been very accurately defined, but which will be interpreted in Ireland to mean the danger of destroying monopoly and correcting abuse. Sir, I say then at once, that having so acted with regard to England, having so acted with regard to Scotland, and the words of the Address implying nothing more than the adaptation of the same general principles to Ireland, I, for one, cannot consent to the proposed Amendment, particularly when I remember that even against the address of the right hon. Baronet, when he was Minister of the Crown, this House resolved to go further than what he then proposed, and actually expressed a hope (which was then confirmed by a vote), to see " the corporations reformed on principles of vigilant popular control." We do not now repeat these words, but when we use others which imply the same sentiment as that which was formerly sanctioned and approved of by a majority of this House, I am bound to declare, that in wisdom, in justice, and in consistency, you ought to adopt the words of this Address.

Lord *Stanley* felt unwilling to allow this question to go to a division, without saying a few words explanatory of a vote which, if he were compelled to it, he should feel himself obliged to give. He came to that House with the strongest anxiety, which had not yet forsaken him, and a hope even which had not forsaken him up to that moment—that, by a mutual agreement of both parties, by a cautious avoidance on either side of words and expressions which would lead to a premature discussion of important questions, the Address of that House would go up to his Majesty without an Amendment, and almost without discussion; because he could hardly believe that his noble Friend (Lord John Russell) opposite should not, after the speech which he had now uttered, be induced to follow that example which, if he did not much mistake, had been set him by his colleagues in another House, of cheerfully, willingly, and anxiously adopting an Amendment couched in the precise terms in which the Amendment now submitted was drawn up. He could truly say, that he came down to that House, not only with an anxiety to assist his Majesty's Ministers in carrying the Address, if it appeared to him unobjectionable, but also in the entire ignorance of any determination on the part of any person or party to propose an Amendment; but he came down also with a feeling which he never lost sight of on any occasion, that the more important and the more material, were the questions to be discussed which were alluded to in the Speech from the Throne, the more imperious was the necessity of avoiding a partial and premature decision on them. Why, if this Amendment were material to pledging the determination of Government to the adoption of a course of conduct which they did not consider desirable—if it were material in weakening that strong determination and strong expression of opinion to which they conceived they were bound to adhere, he asked why in any place, or on any consideration, they yielded to its adoption; but if the Amendment were only material in so far that it would not weaken the King's Speech, or the Address of his Ministers, but that it enabled those who were anxious further to consider the topics which it embraced, to join cheerfully in the expression of loyalty and attachment to the Throne which such an Address was meant to convey, he asked on what grounds of prudence, reason, or political wisdom, his Majesty's Ministers refused their assent to the proposition? If they were right in acceding to the proposition elsewhere, they could not be wrong in allowing it to receive the sanction of that House. Sir, continued the noble Lord, I am sure that the policy alluded to ought to be, I am willing to hope that it is, the policy of his Majesty's Ministers, I hope that it is their policy to show and secure by their prudence that no difference in expression of opinion—that no difference of feeling between the two branches of the Legislature, should be displayed on such a subject, but that they should wisely and prudently act that conciliatory part which should best become them, if, without any sacrifice of their own opinions, they should yet so far consult the dictates of prudence, and make allowance for what may be termed the prejudices of an opposite party, as not unnecessarily to press words which can be of no real importance. Why, Sir, the hon. Gentleman who seconded the Address said, "I can conceive no possible reason why, when you have dealt in a particular way with England and Scotland, you should not deal in the same manner with Ireland." Sir, the question is now, not whether there does or does not exist any reasons for dealing differently with one from the others; but the question is whether, without discussion and consideration, you are to bind the House, without deliberating upon or even hearing the differences which are acknowledged to exist between these countries, to take precisely the same line, notwithstanding the different circumstances in which each is placed. Have his Majesty's Ministers adopted the same course as that which they have taken with regard to Municipal Reform, respecting other measures which have been carried into effect in England and Scotland, and are now proposed to be introduced into Ireland? Have they done so with respect to Poor-laws? Though the distinction has been already pointed out by the right hon. Baronet who moved the Amendment, yet, allow me again to ask, what is the language of the King's Speech upon speaking of Poor-laws? Do his Majesty's Ministers at once state that a plan had been tried in England, which has proved eminently successful, and call on you, without further consideration, to pledge yourselves to deal with Ireland, on the Question of Poor-laws, in the same manner that you have dealt towards England? No such thing. But why? For the best of all possible reasons—because, as statesmen and prudent men, they felt bound to look at the different circumstances of the two countries—to the materials they had to work with—to the state of society in the one and in the other—to the different effects which might, in all probability, result in the one and in the other, from the adoption of one and the same measure. Consequently, as prudent and wise men they have told you that you must not be guided in the discussion of Poor Laws for Ireland by the light which the experience of the working of them in this country supplies; but that the Question itself, like every other great question, must be dealt with in reference to the state of society which it is proposed that it should effect. I admit that you must apply a certain remedy to the abuses of Corporations in Ireland; and I, for one, am disposed to go to the root of the evil; but all I ask of you is not to pledge yourselves and this House to the remedy of corruption under one state of things, by the application of a system which was applied to evils arising in a different state of society. The hon. Gentleman opposite can hardly say that this question was decided under the sanction of the House of Commons. It is true that a Bill for the Reform of Municipal Corporations in Ireland was introduced during the last Session of Parliament, in a most able, temperate, and admirable speech of a right hon. Friend of mine, no longer a Member of this House (now Mr. Justice Perrin). It was introduced on the 31st July, and on the 12th August, under a pressure of other business, many Members were compelled to leave the metropolis, (and I can say for myself, that on that very day I was engaged in the performance of my duty as Foreman of the Grand Jury of the County of Lancashire) and when a vast majority, wearied by a six months' Session, had ceased to attend this House, then it was that, without discussion and without consideration, I venture to say, not only the second reading, but every individual Clause was passed with the haste of a common Turnpike Bill. You cannot, then, say that you have the sanction of the other branch of the Legislature to the Bill of last Session, and I now altogether disclaim the possibility of adopting a Bill founded on the same principles as those which are suited to a totally different aspect of affairs. I ask again, what are those principles to which we are to consider ourselves bound by the adoption of this Address? My noble Friend (Lord John Russell) says we only "partake in the hope" that such a measure may pass, but in order to entertain the hope we must have some well-founded conviction; nay, when the House of Commons says, "we partake in the hope" that such a measure may be passed, we ought to be satisfied almost beyond the power of question that we shall be able to fulfil the hope after we have expressed it. But do we propose because we prefer the language of the Amendment to that of the Address, and which, indeed, if it be pressed to a division I shall feel myself bound to prefer—do we, therefore, manifest a desire to maintain the abuses of Corporations in Ireland? [Lord *John Russell:* "Yes, you do."] We do! I thought from the tenor of my noble Friend's speech that he either did not hear or did not properly understand the terms of the Amendment, and that supposition is confirmed when I hear him now assert that by supporting the Amendment we are adhering to the abuses in Irish Corporations. What are the words of the Amendment? "We will proceed without delay to the consideration of the evils which are proved to exist in those institutions." Why? For the purpose of clinging to them? for the purpose of defending them? with the view of interposing between them and all Reform? No; but for the purpose of "applying such remedies as may obviate all just grounds of complaint, and insure the impartial administration of justice." I cannot conceive by what I might call a strange conversion of ideas how my noble Friend should have come to the conclusion that the adoption of the Amendment pledged those who supported it to an approval of the abuses in the Corporations of Ireland. I for one am most anxious to apply the most summary remedy to those abuses, and in some instances I should be inclined to adopt the radical remedy of total extinction; for I am persuaded that greater abuses exist in many of the towns in Ireland, as to the administration of funds and the exclusive system of management, than prevailed in this country. Apply the remedy summarily and completely: let not the shadow or vestige of abuse remain; subject your councils to vigilant popular control; but allow me to judge when any measure is brought forward, whether this or that measure is the most effectual, to do away with the corruption and the profligate administration of funds, and the exclusive system by which all those of any one particular creed or persuasion or class is removed from the superintendence of local affairs. Sir, there is no man who looks at this Question, who must not know and feel it to be a subject of the deepest interest and vital importance to the real good government of the country—and that there are involved in the decision of that Question considerations which cannot be answered by the stale phrase that, in order to do justice to Ireland, we are only called on to deal out to that country the same Measure of Reform as that which was passed for this country. It is unnecessary for me to detain you in discussing the various topics comprised in the Speech. There is one point, however, on which no opposition appears to be entertained, but which is couched in terms of assurance and confidence, in which I must confess that I cannot concur. It is this, that we shall come "to a just, final, and satisfactory settlement of the Tithe Question." Would to God that I could entertain so confident a hope! But I must fairly say, that I cannot entertain such a hope as long as you adhere to the assertion of the abstract principle of appropriation (a principle to which, however, you must now be considered pledged); but as long, I repeat, as you do keep that Question alive, to a just, speedy, and, least of all, final settlement of the Tithe Question, do I not look with a confident hope, but in my conscience I believe such a consummation to be altogether impossible. I shall not, however, trouble the House further on that question, but I have risen now for the purpose of putting it to his Majesty's Ministers whether they will now pledge the House to principles which have not only not been affirmed by the Legislature, but when the reports on which we are to judge are not in the hands of Members, and that with the exception of the information to be derived from a small body of local reports which we have received, we are called to pledge ourselves to a settled plan of correction of abuses without knowing to what extent they prevail; and how the remedies to be applied to them may answer their purpose. Being convinced that a certain and entire Reform must be applied to the evils complained of, I must, if driven to a vote, vote against the Address, only because I am unwilling to pledge myself on the one side or the other, and I shall support the Amendment because it pledges you to an inquiry into the Question with a view of affording an efficient and complete remedy. More than this you cannot—you ought not seek—you cannot in fairness and conscience ask, when the evidence is not before us, and when the principles of the intended Measure is unexplained; for the hon. Gentlemen opposite will not even tell us how far they mean us to be bound by the adoption of this Address. If my hon. Friend and his Majesty's Ministers had deliberately taken into their consideration these Measures of Reform, which were to be submitted to Parliament, and explained the nature of them, and the principles on which they rested, clearly and distinctly to the House, I should have been ready to express my acquiescence in, or disapproval of them; but I am not prepared to bind myself, (so far as Ministers may hereafter think fit to consider me bound) to the approval of principles which are not specifically and unequivocally laid down.

Viscount *Howick* observed that the noble Lord rather inconsistently expressed the reluctance which he felt to the introduction into the Address of any amendment, and his wish that the Address itself should be agreed to unanimously; and yet, at the same moment, called upon his noble Friend, notwithstanding the reasons which had been so forcibly stated by his noble Friend for not agreeing to the proposition of the right hon. Baronet, to reconsider his determination with a view to the abandonment of the original words in the Address, and the substitution of those which had been recommended by the right hon. Baronet. He must say, that the advice thus given to his noble Friend by the noble Lord filled him with considerable surprise. He was quite at a loss to understand how the noble Lord could declare, that it was desirable to postpone any division in that House until the last moment, and also, that it was desirable to cut up by the roots all the abuses of municipal corporations in Ireland, and yet state in the same breath that he found great difficulty in voting for those words in the Address which had for their purpose the attainment of the latter object. The noble lord had asked whether, if there was any serious objection to the Amendment proposed by the right hon. Baronet, it was probable that the members of his Majesty's Government in another place would have given their assent to a similar proposition? There were, perhaps, reasons why such a proposition should be acceded to in the House of Lords, and not acceded to in that House. On those reasons he would not touch, because it would not become him to depart from the respect which ought always to be entertained towards the other House of Parliament. He was exceedingly surprised, however, to hear the Amendment proposed by the right hon. Baronet, characterised by the noble Lord as a trifling Amendment—as one of no importance whatever with reference to the real object in question. In the Address, as originally proposed, the House declared their hope that they might be able to apply to the Municipal Corporations in Ireland, " a remedy founded on the same principles as those of the Acts which had been already passed for England and Scotland." In expunging that declaration, which would be formally voting that they were not prepared to apply to the abuses of Municipal Corporations in Ireland a remedy founded on the same principles as those of the Acts which had been already passed for England and Scotland, that House would give up their first and best claim to the esteem and confidence of the people of Ireland; and, in a single moment of indecision, would do more to weaken the union between the two countries (a union, to the maintenance of which both the noble Lord and the right hon. Baronet professed themselves to be so warmly attached) than could be effected in years by other and ordinary means. The noble Lord asked what were the principles on which the Acts that had been passed for correcting the abuses of the Municipal Corporations of England and Scotland were founded? He would answer the noble Lord in two words. He would answer the noble Lord as his noble Friend had answered the right hon. Baronet. The principles on which his noble Friend and himself proposed to correct the abuses in the Municipal Corporations in Ireland were the principles on which the Acts of last year for correcting the abuses in the Municipal Corporations of England and of Scotland were founded—namely, the putting an end to self-election, and the introduction of popular control. They proposed to legislate on the subject for Ireland on the same principles on which they had already legislated for England and for Scotland; and the difference which existed between the English and the Scottish Acts afforded the strongest possible proofs that the same principles were applicable to abuses which did not exactly resemble one another. The principles on which his noble Friend proposed to legislate with reference to the Municipal Corporations of Ireland, were the principles which belonged to a free constitution; and if those principles were once given up, there would be an end at once to all freedom in the constitution and government of the country. The noble Lord had thrown out one observation, although he had not followed it up, namely, that if the House adopted the words in the original Address, they would be unable to agree to the provisions of the Bill for the correction of the abuses of the Municipal Corporations in Ireland which had been introduced last Session by an hon. and learned Gentleman no longer a Member of that House. Really this was the most extraordinary statement that he had ever heard made. He did not mean to say that there was nothing objectionable, and that ought to be departed from, in the hon. and learned Gentleman's Bill; but most assuredly there was nothing in the declaration that the House would proceed to legislate for Ireland on the principles which influenced them in their legislation with reference to England and Scotland, which could in the slightest degree prevent them either from adopting as it before stood or from making any alterations they might think proper in the Bill of last year. It had been asked both by the right hon. Baronet, and by the noble Lord, why, if his Majesty's Government thought it right to recommend, in the terms they had, the measure for the correction of the abuses of Municipal Corporations in Ireland, the Address was differently worded with reference to the consideration of a system of Poor-laws for Ireland? The answer was easy.

Two years ago an English Poor-law Bill was passed, for the correction of evils in the condition of the poor in England and Wales, not only different from, but exactly opposite to, the evils in the condition of the poor in Ireland. That Bill went to the correction of evils which had no existence in Ireland. On the contrary, with respect to the Municipal Corporations in Ireland, the abuses in those Corporations were similar in character to the abuses which had existed in the Municipal Corporations in England; and the principles on which it was desirable to put an end to the abuses in Ireland, formed the basis of the measures which had been adopted for putting an end to the abuses in England and Scotland. He owned that with the opinion which he entertained of the value and importance of the principles in question, it was with pain he heard some of the concluding observations of the right hon. Baronet. It was very true that the right hon. Baronet had not stated any thing on the subject very specific; but his insinuations, and the tone in which he uttered them, must have forcibly struck every one who heard the right hon. Baronet declare that "If the result of the propositions which were to be made respecting Ireland was likely to bind more closely the union between the two countries, if the result of those propositions was likely to be to secure peace and good government in Ireland, no one would be more happy to support such propositions than himself; but knowing to what hands power in Ireland was given, knowing what, in such hands, the result might actually be, he was not prepared at once to acquiesce in the measures proposed." Did the House see how much was implied in this statement? Did the House see that it involved this most startling proposition,—that as respected Ireland, the British Constitution ought to be allowed to remain, or where it was not already so, that it ought to be made, a dead letter? Did the House see that it involved the declaration that liberty was a luxury which the Irish people ought not to be allowed to enjoy? Such was the obvious, the evident meaning of the words which had fallen from the right hon. Baronet. Let it be recollected that the present was not a question of detail. Every clause of any bill which might be introduced upon the subject would be open to discussion and amendment. Any bill which embodied the two great principles on which the English and Scotch Acts were founded—the putting an end to self-election and the introduction of popular control—would come under the description comprehended in the words of the Address, as they now stood. The right hon. Baronet said, he was afraid of the operation of those principles in Ireland. Why did not the right hon. Baronet propose the repeal of that part of the Reform Bill which related to Ireland? Why did not the right hon. Baronet propose the re-enactment of the penal laws in Ireland? If, however, the House of Commons was prepared to extend the principles of the Constitution to, and establish free principles of, government in Ireland, they would support the words of the Address as they originally stood. The right hon. Baronet had not followed up the observations to which he (Lord Howick) alluded, with any personal insinuations and taunts against the hon. and learned member for Dublin. In fact, the right hon. Baronet had too much tact, he knew too well the taste and feeling of the House on such subjects to follow up his observations with any of those vulgar and petty attacks on the honourable and learned Member for Dublin, in which anonymous scribblers in newspapers were prone to indulge. The right hon. Baronet knew better. But he could very easily construe the insinuation of the right hon. Baronet, limited as it was in expression. He knew very well what was implied in the right hon. Baronet's remark, and would not affect to misunderstand it. The right hon. Baronet meant to allude to the power possessed by the hon. and learned Member for Dublin in Ireland. Did he deny that the hon. and learned Gentleman actually possessed great power in Ireland? He was not there to apologize for the manner in which that hon. and learned Gentleman sometimes exercised that power. On the contrary, he had frequently reprobated such an exercise. It could not be supposed that he (Lord Howick) entertained towards that hon. and learned Gentleman any personal regard; the manner in which that hon. and learned Gentleman had acted, and the language which that hon. and learned Gentleman had used towards one of his nearest and dearest connexions could never be forgotten, and forbade the possibility of the existence of any personal regard on his part towards the hon. and learned Member for Dublin. But was that a reason why he should deny that the hon. and learned Gentleman possessed great power in Ireland? And was the possession of that power by the hon. and learned Gentleman to induce him (Lord Howick) to refuse to give to the people of Ireland measures founded on the principles of liberty? And who and what was it that had given the hon. and learned Member for Dublin the power which he possessed? Had it been given by those who sat on the ministerial or by those who sat upon the other side of the House? Was not the acquisition of that power mainly attributable to the right hon. Baronet himself and his friends, who, year after year, refused to petitions those rights which they subsequently with abject timidity yielded to intimidation? Was it his noble Friend who had given the hon. and learned Member for Dublin his power, or was it the right hon. Baronet, who, in the very act of general emancipation, introduced a clause, directed against the hon. and learned Gentleman personally, and thereby bound the people of Ireland to him, and induced them to consider him as a martyr to their cause; and by this vain and impotent attack upon an individual, made the Imperial Legislature cover itself with disgrace? Was that the act of his Majesty's present Ministers? But whoever might have conferred the power which the hon. and learned Gentleman now possessed, and which the right hon. Baronet so much dreaded, that power ought not to be assigned as a reason for refusing to grant to the people of Ireland whatever justice and policy required. It was a bad symptom of the political condition of any country when any individual was able to obtain so extensive a power over the minds of the people as that possessed at present over the minds of the people of Ireland by the hon. and learned Member for Dublin. But the false condition in which Ireland stood in that respect was occasioned by the course which had been pursued by the right hon. Baronet and his friends. The present unfortunate state of the public mind in Ireland was caused by the system of governing Ireland as a dependant colony, which we were at liberty to oppress at our pleasure. The only mode of curing the evil was by doing full, fair, and impartial justice, and by trusting to time and reason for the removal of those prejudices which at present were so deeply rooted. Nothing could be worse, nothing could be more injurious, than to fall back (which, if the House adopted the Amendment proposed by the right hon. Baronet, they would) on the system which had been for so many years pursued. He called upon the House, therefore, to adhere to the original Address. The only pledge that they were called upon to give was, that they would legislate for Ireland, as they had legislated for England and Scotland, on the real and sound principles of the British constitution.

Lord *Dudley Stuart:* Sir I am not going to discuss the Amendment proposed by the right hon. Baronet the Member for Tamworth. I think his arguments have been triumphantly refuted by those who have spoken on this side of the House. But while I do not feel the objections which he entertains to the Address, my duty does not permit me to express unqualified satisfaction with the Speech from the Throne. This Speech has been looked for with anxious expectation by the people, not only of this country, but of the whole civilized world, eager to see what direction our foreign policy is to take. I wish I could discover in it anything calculated to satisfy those who are anxious for the preservation of the balance of power in Europe, who are desirous to see the dignity of England maintained by the enforcement of treaties to which she is a party, and her interests secured by the repression of the designs of the Leviathan of the North and of the East, by which her security is threatened and the liberties of Europe endangered. For a long time there has been a growing apprehension of the increasing power of Russia; great alarm is felt that the independence of Turkey is more than threatened; that the strongest and most important political and military position in the world is in danger of passing from hands friendly to us into those of a power which we cannot but regard with the utmost jealousy. People know that if these alarms are not without foundation, then that there is danger to our commerce, danger to our political station in Europe, danger to our Indian possessions, danger to all our best and most essential interests. This uneasiness is not confined to one party or to one class, but pervades men of all opinions, and extends to all parts of the country. This feeling, augmented lately by the reviews at Kalisch and the conferences at Tœplitz, has been made more intense, while there have been added to it those of indignation and disgust by the speech of the Emperor Nicholas at Warsaw; a speech, which, while it is shocking to humanity, from the spirit of savage tyranny which it evinces, is insulting to England and to Europe, by the contempt of treaties which it expresses. I should have thought that on this solemn occasion Ministers would have felt it incumbent on them to advise the King to use some expressions calculated to allay the general uneasiness, not by slurring over and pretending not to perceive the causes of it, but by indicating an intention to remove them. I should have thought that they would have felt it imperative on them to put into his Majesty's mouth some words to make it plain, that in the violation of those treaties his Majesty did not acquiesce. I cannot think that in omitting to do so they have discharged their duty to this country and to Europe. His Majesty has referred with expressions of satisfaction (a satisfaction I am sure participated by the whole country) to the intimate union now happily subsisting between this country and France. In this respect his Speech is an echo to that lately delivered by the King of the French. Why is there no echo in our address to those noble sentiments and sound opinions so manfully expressed in the Address of the Chamber of Deputies in favour of the nationality of Poland? Why do we not cement with the French people our bond of amity, by showing that we participate in their feelings for the brave and the unfortunate, and that we are not behind them in the determination to maintain our dignity and provide for our security, while at the same time we satisfy the feelings of humanity, and obey the dictates alike of true policy and of justice? The only consoling part of the Speech, with a view to foreign policy, is that which announces the intention of his Majesty to apply to Parliament for an increase of his naval force. If, at the same time that this force was called for, we heard an announcement of a firm determination to repress Russia whenever she attempted to encroach — then, indeed, I should think there were grounds for satisfaction. Why do we not, in concert with those whose interest is similar to our own, in concert with France and with Austria, who have long perceived the danger which threatens them, and are only waiting for manifest proofs that England is at length awake to it — why do we not take such measures as may be necessary not only for the welfare of this country but for the maintenance of the independence of Europe? The right hon. Baronet the Member for Tamworth has spoken of the moral obligation of preserving peace, except when war is required for the honour, or for some essential interests of England. In those opinions I fully concur. But deprecating, like the right hon. Baronet, the horrors of war, acknowledging the moral obligation of preserving peace, anxious to spare the expenditure of blood and of treasure which war must occasion, and believing that the only way of averting it is to show that we are not afraid of it, while we are still in a situation to wage it with certain and immediate success, and not perceiving in the Speech from the Throne any clear indication of an intention to pursue that course, I am bound to express the dissatisfaction with which it fills me. So strongly do I feel upon the subject, that up to a late period it was my intention to move an Amendment to the Address. If I have relinquished that intention, it is not because my opinion is altered, not because I am apprehensive of meeting with little support, for the contrary, I am sure, would have been the result, but solely from my desire not to embarrass the Government, and not to do that which in the opinion of those whom I felt bound to consult would be likely to weaken the position of Ministers. In the general principles of the Government I cordially concur. I believe that it is for the advantage of the country that those now in power should continue to govern it, for I believe that they will steadily, honestly, and fearlessly pursue the path of Reform on which they have hitherto proceeded, and thereby satisfy the just expectations and the legitimate wishes of the country. Sooner than expose such a Government to any manner of risk, there is scarcely any sacrifice which I would not make. For these reasons, and for these alone, I have with much reluctance, and not without many scruples, determined to relinquish my intention of moving an Amendment. But in doing so I reserve to myself the full right of bringing the subject of it under the notice of Parliament. I intend to exercise that right on the earliest possible occasion. I am sure the Ministers will feel bound to assist me in finding a day when the subject may meet with full and ample discussion. I beg leave to read to the House the notice which I have put on the books, which is, on Tuesday, the 16th of February—"To call the attention of the House to the effect on British interests, of the position Russia has occupied, and the policy she pursues."

Viscount *Palmerston* said, that if his noble Friend, when he made up his mind to abstain from pressing the Amendment which he had originally intended to offer to the consideration of the House, thought the grounds upon which he did so were such as ought to influence the conduct of those who were favourable to the Government—if his noble Friend felt that it was proper for any person who, generally speaking, approved the policy of the present Ministry to take a step calculated to produce anything like a division in the ranks of the Liberal party in the House on the first night of the Session—if that, as his noble Friend had stated, was the ground upon which he abstained from pressing his Amendment, he (Lord Palmerston) did not think that that which had passed since the House had assembled—he did not think that the grounds upon which the other Amendment had been proposed, or the bearing which that Amendment had—would tend in the slightest degree to alter the confidence of his noble Friend in the propriety of the decision he had come to. For when his noble Friend saw that the House was going to divide upon a question involving a matter of no less importance than, whether Ireland should continue to be governed upon the same principles as hitherto — whether those principles of constitutional freedom and of public responsibility which had been so beneficially carried into effect in this country, and so much to the satisfaction of the people, were to be extended to Ireland, or to be refused to the Irish nation — when his noble Friend found that the House was about to divide on a Question upon which the Liberal party would vote on one side, and those who were opposed to Liberal measures would vote on the other — he thought his noble Friend would congratulate himself that he had not taken any step calculated to occasion a difference of opinion amongst those who, on that occasion, ought to stand firm and fast by each other. His noble Friend found fault with his Majesty's Speech, so far as it related to Foreign Affairs. He thought that Ministers ought to have advised the King to have spoken in a more firm and decided and explicit manner, with respect to the relations of this country with foreign nations, and with regard to the principles of policy upon which the Government was prepared to act with respect to the affairs of Turkey, and other foreign States. If his noble Friend would direct his attention to the course which had usually been pursued in framing the speeches of the Crown, he thought his noble Friend would find that the objection he had made was not justly applicable to the Speech delivered on the present occasion. Speeches delivered from the Throne at the beginning of a Session did not profess to contain a general annunciation of the whole system of policy, which a Government intended to pursue. Speeches from the Throne generally alluded only to events which had happened since the previous Session—to measures immediately about to be proposed by the Government, or to matters still pending and undecided. When his noble Friend thought that Ministers ought to have so asserted in the King's Speech the intention of the Government to uphold the independence of Turkey, he would only beg to refer his noble Friend to speeches upon former occasions delivered from the Throne, in which the assertion which his noble Friend required was put forward in the clearest and most explicit terms. His noble Friend would find that on the 29th of August, 1833, at the close of the Session of that year, the King stated in his Speech that the hostilities which had disturbed the peace of Turkey had been terminated: "and you may be assured," said his Majesty, "that my attention will be carefully directed to any events that may affect the present state and future independence of that empire." Again, on the 4th of February, 1834, at the commencement of the Session the Speech from the Throne contained the following paragraph:—"The peace of Turkey since the settlement which was made with Mehemet Ali has not been interrupted, and will not, I trust, be threatened with any new danger. It will be my object to prevent any change in the relations of that empire with other powers which may affect its future stability or independence." The Government of England, therefore, had already declared its determination to watch over the affairs of Turkey with the view of maintaining the independence of that country, in a manner sufficiently explicit not to require any repetition on the present occasion, unless since the last Session events had occurred which threatened new danger to the Porte, and therefore called for a fresh declaration on the part of the Government of England. No such events had happened; and, therefore, he contended that it was perfectly consistent with a full, fixed, and settled determination on the part of the Government of England to pursue with respect to Turkey the policy which had been declared in previous Speeches from the Throne, perfectly consistent with that determination that Ministers should not have advised the King to make any mention of Turkey in his Speech on the present occasion. With respect to the question of Poland, also, he should say that the silence of the Speech upon that subject could not be considered by his noble Friend as implying any indifference to the treaties by which the different Powers of Europe had settled the destinies of that country; or the slightest intention on the part of the Government of England to acquiesce in any infringement of those treaties, if any infringement had taken place, or might hereafter take place. He thought, therefore, that when his noble Friend came to look at what had been said on former occasions, and when he considered what was the general tenour of Speeches delivered from the Throne at the commencement of a Session, he would not find in the framing of the present Speech any ground for a diminution of the confidence which he had expressed in the present Administration. But as his noble Friend had stated that he meant specifically to call the attention of the House to the subject of Poland on a future occasion, he should best consult the convenience of the House by dwelling no longer upon the topic that night. He could not, however, refrain from making some remarks upon what fell from the right hon. Baronet (Sir Robert Peel) upon that part of the Speech which related to foreign affairs. In doing so, he begged in the first place to say, that he had heard with great pleasure some of the observations which were made by the right hon. Baronet. They were remarks which in his estimation did the right hon. Baronet great credit, and which he naturally expected to hear from one who had filled the high situation which the right hon. Baronet not long ago occupied. The right hon. Baronet had that night expressed sentiments which did honour to him individually, and which he (Lord Palmerston) was glad to find held by a person who had filled the highest office in the State, and who, peradventure, might be called upon to do so again. It was satisfactory to find that, however parties in that House might differ upon questions either of domestic or foreign policy, there were some points upon which, at least, both parties were disposed to agree. He was glad to hear the right hon. Baronet express his satisfaction at learning that there continued to be an intimate alliance and union between this country and France—he was glad to hear the right hon. Baronet say that the maintenance of that union must greatly contribute to the preservation of peace—he was glad to hear the right hon. Baronet say that he looked forward to an enlargement of the commercial intercourse between the two countries as a pledge of the maintenance of that union, and as a means of making it more firm. He was glad to hear those sentiments coming from the right hon. Baronet, and he was glad, also, that those sentiments had been cheered by the Gentlemen who sat around the right hon. Baronet, because it had been his own lot to express similar sentiments, in that House which were received by the Gentlemen opposite with a cheer of a very different character, and conveying a meaning of a very different description from that which he had heard from them that evening. It had fallen to his lot to be taunted by the hon. Gentlemen opposite, when he had expressed his sense of the value of the alliance between France and England. He had been told that he was sacrificing the interests of England for the sake of French alliance—that the Government ought to pursue an independent system of national policy, and not to abandon the interests of England in deference to the Government of any foreign power. The right hon. Baronet, however, had given expression to juster sentiments. In those sentiments he (Lord Palmerston) cordially concurred; and he hailed it as a good omen to the policy of this country, that it should be known to foreign nations, that whatever changes might take place in the Government of England, whatever party might be destined to hold the reins of Government, no change would take place in those fundamental principles of foreign policy by which the ancient hostility which too long subsisted between this country and France was now converted into a friendship destined, as he believed, to be lasting and sincere. He was glad also, and he concurred with the right hon. Baronet in thinking, that the peace of Europe was founded upon the improvement of moral feeling in the different countries of which Europe was composed—that it rested, not merely as some persons supposed, upon a want of pecuniary means to make war, but that there had gradually grown up in all the countries of Europe a public opinion in some, in others a system of government, so that, for the future, every means of arrangement would be exhausted, whenever differences of opinion or conflicting interests arose, before recourse would be had to the last arbitration of arms. He, therefore, thought that they were justified in stating that there was at present, more than ever, a well-founded ground to expect that the peace, which now happily existed, would not be disturbed. Ministers might, he thought, take to themselves some degree of credit for the existing state of things in Europe, because, undoubtedly, when they took charge of the administration of the country in 1830, there was no one who could have believed that peace could have been preserved till the time at which they were then speaking. No man could have thought that, at this period, peace would not merely be preserved, but be placed on a foundation growing every day more extensive and more firm. Upon these points he concurred entirely in the opinions of the right hon. Baronet; and he was glad to find that the right hon. Baronet so fully approved of that portion of the King's Speech. The right hon. Baronet, however, wishing to introduce the real difference of opinion which led to the proposal of the amendment by some differences of opinion upon that part of the Speech which related to Foreign Affairs, found fault with the Government for that which he should not have expected would have been made a ground of attack. The right hon. Baronet found fault with them for following a precedent which he had set himself. The right hon. Baronet found fault with the Ministers for stating, in the King's Speech, that the course pursued by the Government of Spain had been prudent and vigorous, and inspired them with hopes of a speedy termination of the war. He must deny that the Government had followed, in that respect, the precedent set by the Government of which the right hon. Baronet was a Member. The right hon. Baronet alluded to the Speech delivered from the Throne in 1830, in which the Government of that day mentioned with praise, the enlightened policy of the King of the Netherlands. He maintained that there could not be any two things more entirely dissimilar than the Speech of 1830, and the Speech now under discussion. The Government of 1830 praised, as enlightened policy, a policy which led to the rooted discontent of the nation to which it was applied, and brought about the separation of Belgium from Holland. The Government of the present day, praised the prudent and vigorous policy of the Queen of Spain, which had re-united the greater part of the Spanish nation in allegiance to the sovereign, which had brought back into concert with the Government, all those separate juntas which some months ago divided the nation, and were prepared to resist the authority of the Queen, which had, therefore, produced a union of three-fourths of the kingdom, and which, he trusted, at no very distant period, would establish the authority of the Queen in every part of her dominions. But what did the Government of 1830? They praised the enlightened conduct of the King of the Netherlands—they praised it with reference to a revolution which had just taken place, and with the words of praise still trembling on their tongues, they entered into a course of proceeding, the very first object of which was to effect a permanent division of the kingdom of the prince whose conduct they had praised. That was the way in which they showed their sense of the enlightened policy of the King of the Netherlands. The present Government, on the contrary, praising, as they did, the prudent policy of the Spanish Government, had entered into a treaty to support the government of the queen, and were pursuing measures in conformity with the articles contained in the treaty. And it was for pursuing those measures that the right hon. Baronet censured them for interfering in the affairs of a foreign state. But, however just the general principle might be that one nation should not interfere in the internal or domestic affairs of another state, the history of the world was full of instances in which national interest overpowered the operation of that principle, and in which foreign countries had formed alliances for the purpose of influencing the course of political events in another; and when one looked back at the history of Spain, it seemed strange that the right hon. Baronet should have selected that country as the nation above all others with which England should not interfere for the purpose of determining who should be its sovereign. He should have thought that the recollection of the right hon. Baronet would have told him that British interference there, was not entirely without a precedent; and if it could be shown, as he thought it could, that the Government was pursuing on this occasion the same course of policy that was pursued in the early part of the last century, when England opposed the pretensions of the House of Bourbon to the Throne of Spain, no one, he apprehended, would charge them with interfering in a manner inconsistent with the interests of England, or not perfectly justifiable by the laws of nations. Then the right hon. Baronet stated, that some further explanation ought to have been given with respect to the proposed increase of the naval force. His noble Friend had justly stated, that a country like this, the defence of which, and the protection of whose commerce, chiefly rested upon its naval force, ought not to allow that naval force to fall below the strength of the naval force of neighbouring nations; and consequently it was no indication of any suspicion of hostile intentions on the part of any other Power, to say, that the present naval force of England, in the existing circumstances of the world, and compared with the naval force of other nations, was not such as it ought to be; it was no expression of jealousy of any other Power—no indication of hostile intentions on the part of any foreign State, if, under such circumstances, Ministers came down to Parliament and proposed a certain increase in the naval force of this country. He maintained that the great object of a nation with regard to its foreign relations, was the maintenance of peace, the upholding the honour of the country, and the protection and extension of its foreign commerce. With regard to the maintenance of peace during the administration of the present Government, facts spoke sufficiently for themselves. With regard to the upholding the honour of the country, he thought that the best test of whether countries or individuals were properly upholding their own honour was, when they found other countries or persons applying to them on matters in which their honour also was concerned. When, therefore, it was found that powerful nations were willing to accept the mediation of England on matters which concerned their honour, he thought that the Ministers might be justly entitled to affirm, that they had maintained peace without any dereliction of honour, and that the respect paid to England by the other nations of the world had gone on increasing instead of diminishing. With regard to our foreign commerce, the observations of the hon. Gentleman who seconded the Amendment, sufficiently proved, that at least, under the present administration of affairs, the channels of foreign commerce had not been narrowed, nor the facilities of our merchants, in the transaction of business in foreign countries, at all diminished. It had been the object of the Government by treaties of commerce, and by the exertion of its whole influence, to extend and enlarge the commerce of the country—to open new channels wherever they could be found, and to render more commodious and secure those which had previously existed. He confessed it was with the greatest regret that he heard the Amendment proposed by the right hon. Baronet. The right hon. Baronet stated, that it was not fair or just to ask hon. Members to commit themselves on that, the first day of the Session, upon a Bill which had not yet been considered—which was brought in only at the end of the last Session—upon which great difference of opinion might exist, and which ought to be brought under the consideration of every Member fairly, and without the fetter of any preliminary pledge. He must be allowed to say, that it was putting a most strange and forced interpretation upon the words of the Address, to contend, that they pledged any man to anything except that general principle which had been stated by his noble Friend, namely, the principle of applying to the Corporations of Ireland that system of popular election and vigilant popular control which had been found so effectual in England and Scotland, and which in both countries had been attended with such beneficial results. Perhaps when he said, attended with beneficial results, the proposition might not receive the same ready assent on one side of the House as on the other; because, when it was found that out of the Town-councils that had been elected under the new system so many had expressed confidence in the present Administration — so many, as one of their first acts, had sent up Addresses to the Crown, expressing confidence in the Government by which the Municipal Corporation Bill of last year was proposed and carried, and a wish that that Government should remain in power —perhaps it was not unnatural that there might be Gentlemen in the House who would not wish to see the same state of things extended to Ireland, where, if a similar principle of popular election and popular control were extended, it was possible a similar expression of sentiment might take place, which to some individuals he could easily conceive would be neither convenient nor agreeable. But he conceived that that was not a ground upon which the House of Commons would act. He conceived that it was not a fit ground for the deliberation of that House, to be told, that if they carried a certain measure, the justice of which was not denied, the expediency and propriety of which was not disputed—it was not, he said, a fit ground for their deliberation, to be told, that if they carried such a measure they would be throwing power into the hands of this man or of that. He contended, that the House of Commons ought not to legislate upon such personal grounds. In legislating for this great country they ought to look only to what was just and right, without regard or favour to individuals, and they should not be deterred from doing justice to a great nation, because they felt from the present temper of the people of that nation—from peculiar circumstances, for the creation of which some party or other must be deeply responsible—power might for the moment be placed in hands in which it might not be wished to remain. The Address in its present shape pledged no man to anything that was unfair; for he should like to see any man get up and say, that the House ought not to apply to the Corporations of Ireland the principle of popular election and vigilant popular control. If there were any such Gentlemen in the House, and if those were the grounds on which they resisted the Address and determined to vote for the Amendment, he wished them to say so. He wished the House to understand the Question on which they were going to vote. It was not a Question of unfair pledging, because the Address pledged them to nothing except a principle which he had not yet heard any man venture to deny. It left every man at full liberty, when the Bill was brought in to discuss every Clause of it, and to object to any part that might not please him. But what it did seek to pledge the House to was, what he thought the House could not too soon consent to pledge itself to—namely, the extinction of all differences between England and Ireland, and a full extension of the principles of the Constitution indiscriminately to both; to place the same confidence in the people of Ireland that had already been placed in the people of England and Scotland; to give to the people of Ireland the same interests; to allow them the same control in the management of their own affairs; to cease to treat them as a proscribed and excluded class; and, finally, to cease to treat them as exceptions to the British Constitution, was the principle of the paragraph which the right hon. Baronet proposed to change. He repeated, therefore, that there was nothing in the Address which any man who entertained a just view of the system on which the Government of this Empire ought to be conducted, could for a moment hesitate to agree to. If there were any man who entertained another opinion—who, rejecting this part of the Address, and adopting the Amendment, wished not merely to keep himself free upon the Question, but had formed a determination to follow up the Amendment by voting against the principle on which the Corporation Bills of England and Scotland had been founded—if there were any such, he begged him to tell the House and Government plainly what his meaning was, so that all might understand what the Question was on which they were going to vote. The Question once thoroughly understood, he had not the slightest doubt as to what the decision of the House would be. He said that the Address and the Amendment left every one equally at liberty to deal with the Bill when it was brought forward according to its merits, but as the Address did pledge the House to important general principles, which the Amendment might tend by implication to negative, he trusted that all those who thought that any Bill ought to be brought in extending to the Corporations of Ireland the principles of popular election and popular control would vote for the Address, and that none would vote for the Amendment except those who were really of opinion that it was dangerous to allow the towns of Ireland to elect their own Councils; that it was dangerous to subject the acts of Irish Corporations to popular control; and who, approving of the existing state of things in that country, were willing to sacrifice the interests of a great nation, and to inflict a gross injustice upon 8,000,000 of men.

Mr. *Hardy* would not detain the House for more than a very few moments. The noble Lord who had just sat down had stated that the question on which the House was about to divide was, whether Ireland should be governed on free principles or not. He denied however that that was the question under debate; because the noble Lord would not pretend to say that the people of Ireland were not at this moment free. Let them have no talk of tyranny in Ireland when every man's life and property in that country was safe, except against the pestilence that walketh in darkness. The Amendment proposed by the right hon. Baronet would not prevent Ministers from adopting any principle they might think fit when they proposed their measure of Municipal Reform for Ireland; whilst on the other hand the Address as it then stood would pledge the House to the adoption of exactly the same principal of Municipal Reform to be applied to Ireland as that which had already been applied to England and Scotland, whilst it was possible that the widely different state of Ireland might render a Bill proceeding upon a somewhat different principle necessary. He agreed with the noble Lord (Lord Stanley) that perhaps the most effectual mode of Reform would be to sweep the Corporations of Ireland away altogether. The noble Lord opposite had taken great credit to himself for the measure of Municipal Corporation Reform which he had carried; but before the noble Lord began to chuckle over his offspring he should see how it worked. He should ascertain how far it was an improvement to substitute one form for another; and the hon. Member who seconded the Address might be appealed to for the purpose of ascertaining whether some of the old Corporations—Sheffield, for instance—of which his father was an honoured Member—were not quite as respectable and altogether as efficient as any of the new creations. With respect to the observations of the noble Secretary for Foreign Affairs, he (Mr. Hardy) felt called on to say that his observations were more calculated to injure than serve the cause he had espoused, It had been asserted that the Government did not come over to the opinion of the hon. and learned Member for Dublin; but that they had acted independently. It was a singular sort of independence, to say the least of it. They had been told long before that the Whigs now were not Whigs; their present conduct with reference to the hon. and learned Member for Dublin satisfactorily proved it. That hon. and learned Gentleman had advocated and urged the adoption of the Appropriation Clause in the Tithe Bill of 1834; and on that occasion the noble Lord and the Chancellor of the Exchequer, now in the other House, had opposed it; yet in the very next Session the noble Lord and the Government of which he formed a part came forward and proposed it themselves. If that was not going over to the policy of the hon. and learned Member for Dublin he (Mr. Hardy) did not know what the words "going over" meant. In 1834, they had opposed the hon. Member for St. Alban's motion, and the hon. and learned Member for Dublin's suggestion; yet, in 1835, they adopted it, and brought forward a measure of which it formed the principal feature. Anxious as he felt for every feasible Reform in the Municipal Corporations of Ireland, he was by no means prepared to give his support to men who exhibited so much instability and such dereliction of principle. He was resolved not to give a premature pledge on the subject, and he should, therefore, vote for the Amendment. If the passage in the Address which the Amendment was framed to meet were expunged, that would not prevent Ministers from having the power of introducing any measure on the subject they chose in the course of the Session. In objecting to the Amendment they were sacrificing the substance to the form. He would give every consideration and support to any measure which would have the effect of eradicating abuses in the Municipal Corporations of Ireland; but he could never consent to any measure which would give greater power to the hon. and learned Member for Dublin than that which he already possessed, and increase the tyranny he already exercised in Ireland.

Mr. *Ward* could honestly assure the House that he had not the slightest intention at the commencement of the debate to obtrude himself upon them. The tone of moderation adopted by the right hon. Baronet led him to hope that this discussion might terminate in an amicable manner. He was, however, delighted to see that it had at last assumed its proper character. He was delighted to hear the hon. Member for Bradford (Mr. Hardy) put the question upon a more real and honest footing. The hon. Member disclaiming all those professions of moderation of which the speech of the right hon. Baronet was composed, declared distinctly that to his unreasonable apprehensions of the power of one individual in Ireland he would sacrifice every thing like that justice which was due to the Irish people. This was the question. He would not have hon. Gentlemen who had been taunting—out of the House, where they knew they could not be met by contradiction or exposure—those independent Members who supported the present Government with having formed an unprincipled coalition and conspiracy, and of truckling to the hon. and learned Member for Dublin, think that they were to avail themselves of this discussion to persuade the country that the principles which they professed here were really the principles which were the rule of their conduct. The hon. Member for Bradford had put the question upon a proper footing. He denied justice to Ireland—because he would not establish a tyranny in the person of the hon. and learned Member for Dublin. [Mr. *Hardy*: I did not say any such thing.] This was of a piece with the language which had been held by the party press, and by the party themselves wherever they had had an opportunity to express their opinions during the last six months. Never had there been an attempt by any political party or by any party press to run down an individual made to such an extent as had been made by the Tories and the Tory Press to run down the hon. and learned Member for Dublin. Everything connected with the party which that hon. and learned Gentleman represented, everything connected with their name and fame—things the most sacred and most holy—had been made the subjects of the most disgraceful scurrility—by the organs of the Tory party. The House had been told by hon. Gentlemen opposite, that they were not responsible for the language of that portion of the press which was in their interest. He trusted that no party spirit could by any possibility plant such sentiments as had been expressed by that portion of the press in the breasts of Englishmen. If the parties who applied such language to eight millions of their Irish countrymen, after reading, as he had done, the Reports of the Irish Poor Law Commissioners describing the complication of miseries to which thousands of them were exposed, many absolutely starving in the midst of plenty, men, their wives, and children sinking under their sufferings, and yet abstaining from all violence to the property surrounding them, and seeking only that consolation in this world which their religion afforded—if those parties who vilified the clergy, administering such consolation, denied that the religion they taught was embued, and deeply embued, with the spirit of Christianity, then he would say those men knew not what the spirit of Christianity was. He knew not whether the pledge to which the right hon. Baronet objected in the Address might have been avoided—or whether a more general expression might or might not, in the first instance, have been used; but the question was whether, having given that pledge, and having distinctly professed that we were ready, as the representatives of England, to give to Ireland the benefit of the same principle which we were enjoying in our own country, we should now as distinctly withdraw that pledge. If a majority of that House were prepared, as he believed they were, to apply the same principle of Municipal Reform to Ireland as had been applied to England and Scotland, and which had given such unqualified satisfaction to the people—if a majority were prepared to go to that extent, he did not conceive how, without stultifying themselves, they could retrace their steps. He thought it was a question of substance, and not, as the hon. Member for Bradford had said, a mere matter of form. As long as his Majesty's Government, who had advised his Majesty to introduce that pledge in the Speech from the Throne, would stand forward and support the course which they had so advised, he could assure them that they might reckon upon the firm support of every independent man in the House.

Colonel *Sibthorp* was no party man—and that he was as independent as the hon. Member for St. Alban's, or any hon. Member in the House. He had the highest respect for his Majesty, but he could not support the Address. He should vote for the Amendment, because a more moderate one could not be introduced—and because he had the greatest confidence in the right hon. Baronet who proposed it. The noble Lord opposite and his colleagues knew that they were now paying the most abject submission to the hon. and learned Member for Dublin, without whose powerful support and alliance they would be very quickly ejected from their places. This they knew well; for there was not half so much talent among the whole Administration as there was in that hon. and learned Member.

Mr. *O'Connell* did not want any excuse for protracting the discussion, because the question before them was one interesting in the highest degree to the people of Ireland. It was a question whether the House of Commons was really doing injustice to that country—whether it was disposed to continue injustice, or whether it would express a hope of treating Ireland as England and Scotland had been treated. That was the question. He knew right well that there were many in, and many out of Ireland, who, though they would not dare to declare that they would refuse to do her justice, though they were ashamed to say they would perpetuate the injustice now done to her, were yet ready enough to consummate the effect. England had never done justice to Ireland. Never. Ireland had obtained concessions from England—nay, she had extorted some recent measures of justice from her, measures which had been refused by men upon principle, and afterwards conceded by them against their own avowed principles. The right hon. Baronet had talked to night about not exactly understanding what was meant by principle. He believed the right hon. Baronet. That right hon. Gentleman had for years been the advocate upon a Christian principle of that policy of exclusion which was so long directed against Roman Catholics, but he yielded to the Catholics when they were strong enough to make it prudent that he should resist no more. Concessions to the Roman Catholics of Ireland were never made till their demand became irresistible, and here was he now again calling for justice to Ireland. There was a coalition to night—not a base or unprincipled one, God forbid! but an exceedingly natural coalition between the right hon. Baronet (the Member for Tamworth) and the noble Lord, the Member for North Lancashire. It was a perfectly natural, but it was an *impromptu* coalition. The noble Lord had not the least notion of taking a part in this debate when he came down to night, or of seating himself where he now sat. [*Lord Stanley was sitting next to Sir Robert Peel on the front seat of the Opposition benches.*] He knew the noble Lord's candour and fair dealing, and having told the House of the sudden inspiration which induced him to take part against Ireland, he most potently believed the noble Lord, because he well knew that the noble Lord required no preparation to induce him to vote against the interests of his unfortunate country. [*Oh, oh, from the Opposition benches.*] He thanked them for that groan, it was just of a piece. He regretted, that he had been drawn at once into arguing upon the principle of the question, for he could have wished to dwell upon that Speech which had been graciously delivered from the Throne this day. He should like to have gone into details, and to have pointed to the many excellent amendments to the institutions of the country which that Speech hinted at. Last Session, indeed, they were told, that many reforms were intended for Ireland. They had them in words, and nothing more. But this Speech specified distinctly many excellent practical measures; and if the Speech should be worked out fairly and honestly in detail, he was thoroughly convinced, that this country would not require any further ameliorations in its institutions, but would become, in reality, the envy and admiration of the world. He, therefore, hailed that Speech. It was not, as it was said King's Speeches generally were —a multiplicity of words to conceal a paucity of things—that Speech had more things than words. It pointed out many and many great principles which only required to be adopted in practice to be most salutary, not only to this nation, but to the whole world. He would not detain the House by any lengthened remarks upon that Speech, but he would just remind them that, while rejoicing in the cordial connexion that existed between France and this country, his Majesty's Ministers clearly and distinctly abstained from exciting the slightest supposition that they approved of any Ministry propounding an alteration of law for the suppression of public liberty—and for putting an end to public discussion—which, as individuals, they might reprobate, and which they did reprobate, but which, as Statesmen, they had properly abstained from introducing into that Speech. He wanted to know whether there was any statesman who would get up in that House, and would express his approval of that act of the Government of France. It might be done out of that House, but the Government had wisely abstained from doing any thing of the kind, and had contented themselves with expressing their exultation that France and England stood together for the maintenance of those principles that were essential to national independence, and public liberty. The Speech then alluded to Spain. We were the allies of the Queen of Spain. Don Carlos, however, had some allies amongst us—not bound by treaty—no—against treaty, but bound by inclination. Who were those allies? Why, some of the purest, most strictly regulated, and, to use a common phrase in Ireland, which he did not mean to apply offensively, most bitter Protestants in this House were allied with Don Carlos, who wished to re-establish the inquisition, and who was most observant of the ceremonies belonging to the established religion of Spain, and who was now waging war against his own country. That war ought to be put an end to. Two or three British battalions would soon put an end to it. Yes; their appearance would put an end to it. Let them be placed under their able and gallant leader—and be disciplined by him, and they would soon be able to destroy the tyrannical power of Don Carlos in that country. He knew, that parties prevailed there—that one party cried out for liberty, and another for religion; and that each party, by their acts, disgraced the cause which they espoused. Legalized murders were perpetrated on the one side, and massacres on the other; and he equally deprecated the horrible cruelties of the one party, and detested the spirit of despotism and tyranny of the other, by which they each endeavoured to carry their purposes into effect. Another part of the Speech he delighted to read. It related to the Protestant Dissenters. It told them that they were about to get real and substantial relief, and that in their marriages, their burials, or their baptisms, no clergyman of the Established Church was to interfere; and it held out to them the hope of relief from pecuniary exactions. He would not dwell any longer upon these topics. He had said enough to show that the principle of that Speech was the principle of civil and religious liberty; and he came again to the question of Ireland. He had met large bodies of men in that country, who were anxious to secure again to Ireland a distinct Legislature. The English in their strength here, might mock at the Irish spirit that cherished at its heart's core the desire for a National Legislature. They knew not the feelings of others; they who boasted, as they ought to do, of the name of Englishmen, and who would rather die than receive law from another people, oh, let them give Irishmen the privilege of loving their native land! The desire for a National Legislature lived and breathed in Ireland; and here he was who animated it as far as he could. And why? Because he saw there no hope of justice to Ireland? because twenty-nine years after the Union Ireland was not a province, but a pitiful colony of the empire. Hardly forty Members of the United Kingdom could be kept together to pass the routine business of Ireland. Yes, the Irish did feel that England did not do them justice. They looked back to the pages of history, and they found that England never did do Ireland justice. The English Government encouraged factions. When the religion was the same, there were Englishmen by birth against Englishmen born in Ireland—Irishmen within the pale and without the pale.

"Ipsis Hibernis Hiberniores"

"Afterwards came the Reformation, and you raised the standard of God; you raised the sword of the Lord and of Gideon; you passed your *Shibboleth*—you deluged Ireland in blood and devastated it till the land became a wilderness. Then came the Treaty of Limerick. A more honourable convention was never entered into: a more dishonourable violation of a treaty never yet was recorded. Emancipation at length came. We stood disenthralled; and to that extent, we stood upon an equality with you. What had been done since? You have reformed your own boroughs; but the noble Lord stood between us and the same measure of reform for Ireland. He restricted it as much as possible, and he urged, as a reason, that it would increase the power of "individuals." Well, did he diminish the power of those individuals? No; he augmented it considerably. He was the author of that power. Things would have gone on in the constitutional channels, and that power would have been absorbed; but the constitutional channels were dammed up, their natural course was turned, and, therefore, the country rallied around an unfriended and untalented individual. Why? Because he represented their wants, their wishes, and their sufferings, and was the perpetual foe of their oppressors. That was the secret of his power. You have augmented it in Ireland; take care that you do not augment it elsewhere than in Ireland." He had had Scotchmen shouting around him; he had had thousands of them cheering him within the last forty-eight hours. In Birmingham he had also been cheered; and remember, the town of Birmingham carried the Reform Bill. He told the people in Birmingham that he came there with a wish to see whether he could obtain justice for Ireland. He had met congregated thousands in Ireland, and asked them would they give up repeal if he could get justice? He was met by a unanimous shout, "Get us justice from England, and never think of repeal more." He came with that announcement to the British Legislature. He announced it with no affectation of humility; he did not represent any town, city, or borough; he represented millions, and had the confidence of millions. Do justice to Ireland, and England had nothing to apprehend from the further agitation of repeal, nothing to apprehend from Ireland, but every thing to hope. Henceforth separation was at an end. Do them justice, and they were ready to become a party to the empire; refuse it at your peril. When he said "at your peril," he did not mean to threaten Englishmen. [*Immense cheering.*] He liked that cheer. He would not threaten, but he appealed upon these grounds for justice. Was he to be met by the holy coalition between the right hon. Baronet and the noble Lord? Was it that there were no evils in Ireland? The right hon. Gentleman who knew it well, did not attempt to say that. The corporation of Dublin, with 28,000*l.* a year, expended 30,000*l.* They had no means of rewarding meritorious statesmen for services performed. They had pictures, to be sure, in their hall, but they left the individuals represented to pay for them.* But the noble Lord had said, he was willing to do justice to Ireland. There was a frankness and readiness about him. He let out his entire opinion, and, sometimes, perhaps, a little more. The noble Lord said he did not quarrel at all with the report of the Municipal Commissioners. He did not point out any error or false statement in it. Nay, he was more candid and more conceding still, for he gave this description: he said the corporations of Ireland had two especial faults; the first, profligacy with respect to public property —in one word, peculation; and, secondly, exclusiveness in point of religion—or, in one word, bigotry. So that with all the faults in the Corporations' Report undenied, the noble Lord resisted this motion, while admitting that the chief faults were peculation and bigotry. These were the corporations of Ireland, over which the noble Lord threw his shield to-night; for he was not to be deluded by words. The right hon. Baronet had spoken of plausible analogies, but, like every thing plausible, they went to the substance, as did his amendment, though introduced with less talent than he usually displayed. It seemed to him that the right hon. Baronet was waiting for inspiration from above. Suddenly a voice came from the powers above—then hurrah and off with it—then came an attack on Ireland. Why did not the right hon. Baronet candidly say, he would not apply the same principle to Ireland, as to England and Scotland? No; he would not say it, but he was doing it. Did the right hon. Baronet think he could delude the people of Ireland? They might accuse them of crime, of superstition, but they could not say that they were not a shrewd people. What was it this question narrowed itself into? The Speech proposed, that the evils of the corporations in Ireland should be removed by the same principle as that applied in England. Why not give the Irish the hope? The right hon. Gentleman said he did not understand the question. Why not? It was expressed by the majority of the House last year, and was partly the means of removing him from power. The principle was, that there should be popular control over the administration of the funds and of justice in corporate towns. But the principle was understood, because it had not been attempted to be impugned. Neither the right hon. Baronet nor the noble Lord had pointed out any thing objectionable to that principle being applied to Ireland, that would not be equally objectionable in its application to England. Let the House divide upon this question. [*Cheers.*] That was a hearty cheer. Would any men who did not imagine themselves in a majority make such a cheer? But, perhaps, they would find themselves mistaken. Let the House divide upon this question, whether they exulted in the hope of legislating for Ireland upon the same principle as for England and Scotland. Reject the Motion, and he would go back upon Repeal. They might put an end to one agitator, they might crush one, but they would, at the same time, create thousands in favour of Repeal. Did they wish to make him a Repealer again? He saw by their countenances and their cheers, he knew their hearts, and was not deluded by the hypocrisy of what fell from their lips. He would judge them by their votes, and cared no more for their pretences than did the idle wind for the faded leaf that fell before it. No; that was the question—would they declare to the people of Ireland, that they refused to legislate for them upon the same principle as for England. Let them not put it off with a skulking pretence. He called upon them to come forward like Englishmen, and say at once, that they would not give Ireland any hope of legislating for her upon the same principles as they legislated for Scotland and for England. That was really the question upon which they had to decide; and from that question they should not shrink on any poor pretence; nor should they evade it by any paltry phraseology that would do discredit to an attorney's clerk. Would not Irishmen know that they had given Corporate Reform to Scotland? Would they not know that the principle of control was introduced into the Municipal Government of that country? Would they not know that England had, in spite of another place, received a considerable instalment of Corporate Reform? Aye—and right well had England used it. Those who were opposed to the granting of Corporate Reform to Ireland, had, no doubt, reason to dread its operation, from the effect it produced in England. They already felt the sword—the festering of the wound that had been inflicted upon the old Corporate system of England. He could tell hon. Members, that there was not one of those Corporate towns that would not be converted into a Normal school for teaching the science of peaceful political agitation. He did not wonder, then, that there should be an unwillingness amongst a certain party to extend this principle to Ireland. But the people of that country would know, and would reflect upon the fact, that Corporate Reform, upon a liberal principle, had been granted to England and Scotland; and would they not, ought they not, to expect that a similar measure of justice would be dealt out to them? Were they to be told, "Oh, no, we cannot grant it now—we must consider." Why what consideration was necessary upon such a subject? Ought not hon. Members' minds to be made up upon so simple a Question as that of doing justice to Ireland? Had not the right hon. Baronet opposite read the Corporation Report? And did he not know that the Irish Corporation Bill must have been one of the first measures of the Session. ["*No, no.*"] No! Impossible. He must have known it. He (Mr. O'Connell) would defy him to contradict it. Of those who sat about him there was not one who did not know it. And were they then to come down to that House, and refuse even to hold out a hope to Ireland, that they would legislate for her on the same principle as for England and Scotland? He put it to every honest man in that House—to every independent man, he meant—who cared not for the triumph of party, whose object was not to render Toryism as rampant as in former days, but who, at the same time, did not object to see the democratic principle of liberty replace the mockery of representation—whether it was not simple justice, as well as sound policy, to extend to Ireland the benefit of those ameliorations which had been introduced into the institutions of England and Scotland? That was all that was asked, and that was what was resisted in the present Amendment. But he put it to the honesty of his Majesty's Ministers—again and again he appealed to their common honesty—whether they should permit their high honour to be once more tarnished—whether they should allow themselves to be dragged through the kennel once more? But no; he could not suppose it. They were delivered from the former difficulties; the "calamity" of the administration was no longer amongst them. They were relieved, and were now disposed to do justice to Ireland. They had placed the Government of that country in the hands of a nobleman far beyond his praise; but who, he could not help observing, had the singular good fortune to pass unassailed by one of the most venomous Presses that was ever tinged with Orangeism in any country. Even that Press had not dared to bring against him one charge of partiality or undue preference. ["*Oh, oh.*"] He repeated, they had not. If those who cried "Oh, oh," meant to contradict him, let them specify their charge; let them reduce it to words. Oh no; they dared not. They knew they would become the laughing-stock and ridicule of Englishmen. Yes, the Government had done well, and what was the consequence? Why, that they had given the utmost satisfaction even to the popular party in Ireland. Not one of that party had been raised to power or to place, and yet they were not only satisfied, but struggled to support the present Administration. There was he, and there were those who acted with him, in that spirit, to implore of the House to remember the duty which they owed, not to any party, not to Toryism or Orangeism, but to their King, their country, and to the peace of Ireland. What was it that the Irish people wanted? Simply to become a part of England. True, they had sighed and struggled to procure a domestic legislature, and perhaps to that object might be still directed the aspirations of his own heart. But he and they were ready to give it up. He called upon that House to witness that they were ready to abandon the repeal for ever, upon one condition, and one only—that of being placed upon a perfect equality with England and Scotland. Talk not to him of their Union as it existed—their cabinet parchment union. Let them remember that there were in Ireland 6,500,000 of one persuasion, and 500,000 of another, unanimous in their determination to use every peaceable means in their power to obtain justice—from England if possible, if not, they were resolved to do justice to themselves. He spoke not thus as a threat. [*Oh, oh!*] Well, be it so; let it be a menace; but was it not a constitutional menace? They had never violated a law; but had proceeded in a peaceable course, by which they wrung concession by concession from the unwillingness of their rulers. Sorry would he be to be driven to the re-adoption of such a course; but though years were coming upon him, he was in heart young as ever; ready as ever to begin, if necessary, the struggle for the liberty of his country—of that country of which he gloried in being the hired and pensioned advocate. He stood in a position never occupied by man before. He was the "hireling" if they would—the pensioner, the servant, ay, the slave, if they chose—of the people of Ireland; but he was the representative of their sentiments. And on their behalf what was it he asked? An expression of a hope that Ireland should be put upon an equality with England and Scotland. He wanted no boon—no loan of twenty millions—but the sincere expression of this hope. And would they—could they refuse this? He would not say, dare they; but humbly and submissively he would appeal to them as English gentlemen to rally with the Ministry that night, and give to Ireland the poor consolation of a hope that justice might be done to her. Nothing more was asked than the expression of this hope. Surely it was worth their consideration whether they should deny it. Never, he could assure them, would they have such another opportunity of conciliating Ireland by doing justice. Did they forget 1825? Were the lessons of history thrown away upon them? History, it was said, made even fools wise; and he should call to their recollection the year 1825, when the people of Ireland were upon their knees, begging for justice as a beggar's boon. They were scorned; their prayer was rejected. His own speeches, he remembered, were flung tauntingly at him from the Treasury Benches of that House, when he had no opportunity of replying. The "other place" had rejected their prayer, but were soon convinced that the people were not to be scorned with impunity. And the noble Lord, it seemed, had discovered, that because "the other place" refused to hold out a hope to Ireland, that House ought to acquiesce. With all due deference for that noble Lord —a worse argument he could not have possibly urged. The reason he had urged was the very reason why that House should not acquiesce. Ireland had no hope from that "other place," but she had much hope from the House of Commons. He repeated she had no hope from the other House of Parliament, but he stood there as the living representative of the hopes which she had from the Commons of England, and he said emphatically, that if they had no other reason for refusing to acquiesce in the opinion of the other House, they ought to do so, in order to show that the representatives of the people of England were anxious to do justice to Ireland. Allusion had been made to the power and influence which he possessed. That power he derived from public opinion; and what, he asked, created that opinion? Injustice—the injustice inflicted upon Ireland. Those who were adverse to his possessing that power could weaken—could destroy it. Let them only do justice to Ireland. But let them refuse that justice, and they wounded the country to the heart's core—they shook to the very base the throne of the monarch for which they professed their respect, and they weakened that union which they appeared anxious to perpetuate. They had vaunted their determination to support that union "even to the death," and there were the Irish people now ready to go with them, and support it "to the death," upon the condition, however, that equal justice should be done to them with the people of England and Scotland. Until that justice, however, was done, they would not cease to seek for it, and if it could not be obtained from England, they must seek it for themselves. Every man who heard him now, must acknowledge that the course he was adopting in asking for it, was the proper and constitutional one. They might condemn as much as they pleased the course he adopted elsewhere; but his course in that House must surely meet with their approbation. Hon. Members on the opposite side might taunt him and the Ministry, if they would, with having formed a coalition. They might renew against him that vulgar prejudice that used to exist against an Irishman and a Papist; they might send abroad their minions to sow discord and disaffection—to pour out calumny and slander—calling themselves, the while, ministers of the God of charity; —still they could not evade the question really before the House, which lay in an exceedingly narrow compass. He demanded for Ireland, in the spirit of the Constitution, equal justice—the advantages of the same principles of Government as were extended to England and Scotland. He would not take less. They might grant it with advantage—they would refuse it at their peril.

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* In delivering this passage, the hon. Member looked towards Sir Robert Peel, to whom the allusion was understood to apply.

Mr. *Shaw* would, at that late hour, and when the House was impatient for a division, detain them with very few observations in answer to those of the hon. and learned Member for Dublin. He would not stop to consider the qualifications of that hon. and learned Gentleman to read a lecture on principle and consistency to his right hon. and distinguished Friend (Sir Robert Peel)—but proceed at once to offer a few words on the immediate question before them—that part of the Address which had reference to the subject of Municipal Corporations in Ireland; he conceived that the great objection to the expression sought to be amended was, that it pledged the House to the application of a general principle without consideration of the peculiar circumstances of the country to which it was to be applied, as the leading error in the debate had been the use of general terms, and high sounding expressions without regard to their practical and real signification. He entirely concurred with the hon. and learned Gentleman (Mr. O'Connell) that too often the sounds of liberty and religion were on the lips when there was none of the spirit of either in the heart. The noble Lord (Lord Howick) accused his right hon. Friend (Sir R. Peel) and those with whom he acted, of refusing the luxury of liberty to Ireland; but the noble Lord seemed to forget that liberty, which had reason, and virtue, and happiness for its companions was one thing—and another, that which some called liberty, while they meant a license to revel in riot and destruction. The noble Lord, too, had overlooked the difference between vigilant popular control, and reckless popular violence. The noble Lord himself admitted that the undue influence possessed by the hon. and learned Member for Dublin, was in itself a proof of the distempered state of society in Ireland; and yet, with strange inconsistency, the noble Lord in the same breath proposed to legislate for that country, as if it were in a sound and wholesome condition—and to apply a remedy which must greatly aggravate the disease. He would put it to the fairness and candour of the noble Lord, did he himself believe, that by adding to the power of the hon. and learned Member (Mr. O'Connell) he would increase the real liberty or happiness of any one individual of those deluded beings who were constrained to yield a blind submission to his despotic mandates, and whose forced contributions rendered him, what he had that night boasted himself to be, the pensioned and hired advocate of what he called the people of Ireland. The hon. and learned Gentleman talked loudly of "equal rights" and "impartial justice"—high-sounding phrases, and, no doubt, noble sentiments; but, in the hon. and learned Gentleman's vocabulary for "equal rights of his countrymen," stood the power of exercising an arbitrary tyranny over them; for "justice," the means of subverting its administration, and, as in a late notable instance, poisoning its very source, by placing the executive of the King in opposition to the laws of the land. While the secret counsels of the hon. and learned Gentleman governed the so called Government of Ireland, in return he lavished his praises upon them, and at the moment that every office was stuffed with his nominees, he disclaimed, forsooth, that he or any of his immediate associates had been promoted to office, well knowing, as both the hon. and learned Gentleman and his Majesty's Ministers did well know, the distinction between nominal office and real power. Then, again, the hon. and learned Gentleman vauntingly declared that all he asked was "justice for Ireland," and that congregated thousands of his countrymen had commissioned him to offer an abandonment of the repeal question, provided he got justice for Ireland—but he had omitted to tell the House that at the very meeting where he put that construction upon the servile shouts of an ignorant multitude—he himself declared that he was as much a repealer as ever—and that under no circumstances did he believe justice could be done to Ireland without a domestic legislature. With respect to the Amendment of his right hon. Friend, those who supported it were willing to pledge themselves to redress all such grievances—to remedy all proved abuses in the Corporation of Ireland. He, for one, would not advocate their continuance in a single instance—he could not sanction the misapplication of one shilling of the public money—nor countenance the slightest deviation from the due and impartial administration of justice—but he did entreat the House not inconsiderately to commit themselves to a course by which, intending to do away with self-election, they would only substitute for it the personal nomination of the hon. and learned Member for Dublin; and, desiring to abolish a system of exclusiveness, let them beware that they did no more than transfer it from men who, let them impute to them what faults they might, were, at all events, devotedly attached to the union with this country, its interests, and its religion, into the hands of a party who would be the mere instruments and puppets of those who were the natural and irreconcileable enemies of England.

The House divided on the original Motion; Ayes 284; Noes 243; Majority 41.

List of the AYES.

Acheson, Viscount
Adam, Admiral
Aglionby, H. A.
Ainsworth, P.
Alston, R.
Angerstein, John
Anson, Sir George
Astley, Sir J.
Attwood, Thomas
Bagshaw, John
Baines, Edward
Bainbridge, E. T.
Bannerman, Alex.
Barclay, David
Baring, Francis T.
Barnard, Edward G.
Beauclerk, Major
Bellew, Richard M.
Bellew, Sir P., Bart.
Berkeley, Captain
Berkeley, Hon. C. C.
Bernal, Ralph
Bewes, T.
Biddulph, Robert
Bish, Thomas
Blackburne, John
Blake, M. J.
Blamire, W.
Blunt, Sir Charles R.
Bodkin, John James
Bowes, John
Bowring, Dr.
Brady, D. C.
Bridgman, H.
Brocklehurst, J.
Brodie, William B.
Brotherton, J.
Browne, Dominick
Buckingham, J. S.
Buller, E.
Buller, Charles
Bulwer, Edw. G. E. L.
Bulwer, H. L.
Burdon, W.
Burton, Henry
Butler, Hon. Col.
Buxton, T. F.
Byng, G.
Byng, G. S.
Campbell, W. F.
Campbell, Sir J.
Cave, R. O.
Cavendish, Hon. C C.
Cavendish, Hon. G. H.
Cayley, Edward S.
Chalmers, Capt. P.
Chapman, M. L.
Chetwynd, W. F.
Chichester, J. P. B.
Clay, W.
Clayton, Sir W.
Clements, Viscount
Clive, Edward Bolton
Cockerell, Sir C., Bt.

Codrington, Sir E.
Colborne, N. W. R.
Collier, John
Conyngham, Lord A.
Cookes, T. H.
Cowper, Hon. W. F.
Crawford, W.
Crawford, W. S.
Crawley, S.
Curteis, Herbert
Curteis, Edward B.
Dalmeny, Lord
Denison, John E.
Denison, W. J.
Denistoun, A.
Divett, Edward
Donkin, Sir R. S.
Duncombe, T. S.
Dundas, J. C.
Dundas, Hon. T.
Dunlop, J.
Dykes, F. L. B.
Edwards, Colonel
Ellice, E.
Elphinstone, H.
Etwall, Ralph
Evans, George
Ewart, W.
D'Eyncourt Tennyson
Fazakerley, J. N.
Fellowes, Hon. N.
Fergus, John
Ferguson, Sir R.
Ferguson, Robert
Fergusson, R. C.
Fielden, J.
Finn, Wm. Francis
Fitzgibbon, Hon. R.
Fitzroy, Lord C.
Fitzsimon, Chris.
Fitzsimon, Nicholas
Folkes, Sir W. J. H. B.
Fort, John
Gaskell, Daniel
Gordon, Robert
Goring, Harry Dent
Grattan, J.
Grattan, Henry
Grey, Hon. Charles
Grey, Sir G.
Grosvenor, Lord R.
Grote, G.
Guest, J.
Gully, J.
Hall, B.
Hallyburton, Hn. D.G.
Handley, Henry
Harland, W. C.
Harvey, D. W.
Hawes, Benjamin
Hawkins, J. H.
Hay, Sir A. Leith
Heathcoat, John
Heathcote, G. J.
Hector, C. J.
Heneage, Edward
Heron, Sir R., Bart.
Hindley, Charles
Hobhouse, Sir J. C.
Hodges, T.
Hodges, T. L.
Holland, Edward
Hoskins, K.
Howard, Hon. E. G.
Howard, P. H.
Howick, Lord
Hume, J.
Humphery, John
Hurst, R. H.
Hutt, W.
Ingham, R.
Jephson, C. D. O.
Jervis, John
Johnston, Andrew
Kemp, T. R.
King, Edward B.
Labouchere, Henry
Lambton, Hedworth
Langton, Wm. Gore
Leader, J. T.
Lefevre, Charles S.
Lemon, Sir C.
Lennard, Thomas B.
Lennox, Lord J. G.
Lister, E. C.
Loch, James
Lushington, Charles
Lushington, S.
Lynch, A. H.
Mackenzie, J. A. S.
Macleod, R.
Macnamara, Major
Maher, John
Mangles, J.
Marjoribanks, S.
Marshall, William
Maule, Hon. F.
Maxwell, John
Methuen, P.
Molesworth, Sir W.
Moreton, Hon. A. H.
Morpeth, Viscount
Morrison, J.
Mostyn, Hon. E. L.
Murray, John Arch.
North, Frederick
O'Brien, W. S.
O'Brien, Cornelius
O'Connell, M. J.
O'Connell, D.
O'Connell, Maurice
O'Connell, Morgan
O'Connell, John
O'Connor, Don
O'Ferrall, R. M.
Oliphant, Lawrence
O'Loughlen, Sergeant
Ord, W. H.
Ord, William
Oswald, James
Paget, Frederick
Palmer, General C.
Palmerston, Lord
Parker, John
Parnell, Sir H.
Parrott, J.
Pattison, James
Pechell, Capt.
Pelham, Hon. C.
Pendarves, E. W.
Philips, G. R.
Philips, Mark
Pinney, William
Potter, R.
Poulter, J. S.
Power, R.
Poyntz, Wm. Stephen
Pryme, George
Pryse, Pryse
Ramsbottom, John
Rice, Right Hon. T. S.
Rippon, Cuthbert
Robarts, Abraham W.
Robinson, G.
Roche, D.
Roche, W.
Roebuck, John A.
Rolfe, Sir R. M.
Rooper, J. Bonfoy
Rundle, J.
Russell, Lord
Russell, Lord John
Russell, Lord Charles
Ruthven, Edward
Scholefield, J.
Scott, James W.
Scott, Sir E. D.
Scrope, G. P.
Seale, Colonel
Seymour, Lord
Sharpe, Gen.
Sheil, Richard L.
Sheldon, E.
Simeon, Sir R. G.
Smith, Benjamin
Smith, J. A.
Smith, Robert V.
Smith, Hon. R.
Speirs, A. G.
Speirs, Alexander
Stanley, E. J.
Stewart, R.
Strickland, Sir Geo.
Strutt, E.
Stuart, Lord D.
Stuart, W. V.
Stuart, Lord James
Surrey, Earl of
Talbot, J. Hyacinth
Talfourd, T. Noon
Tancred, H. W.
Thompson, Col. P.
Thomson, C. P.
Thorneley, T.
Tooke, William
Townley, R. G.
Trelawney, Sir W.
Troubridge, Sir E. T.
Tulk, Charles A.
Turner, Wm.
Tynte, C. J. Kemeys
Villiers, Charles E.
Vivian, Major
Vivian, J. H.
Wakley, T.
Walker, R.
Wallace, R.
Warburton, H.
Ward, Henry George
Wemyss, James
Westenra, Hon. H. R.
Westenra, Hon. Col.
Whalley, Sir S.
Wigney, Isaac N.
Wilde, Sergeant
Wilkins, Walter
Wilkes, John
Williams, W.
Williams, Sir J.
Williams, W. A.
Williamson, Sir H.
Wilson, H.
Winnington, Sir T.
Winnington, Capt. H.
Wood, Matthew
Wood, Charles
Woulfe, Serjeant
Wrottesley, Sir J. Bt.
Wyse, T.
Young, G. F.

PAIRED OFF

Dare, Hall
Walker, C. A.

List of the NOES.

Agnew, Sir A., Bart.
Alford, Lord
Alsager, Richard
Arbuthnot, Hon. H.
Archdall, M.
Ashley, Lord
Ashley, Hon. H.
Attwood, M.
Bagot, Hon. W.
Bailey, J.
Baillie, Col. H.
Balfour, T.
Barclay, Charles
Baring, T.
Baring, H. Bingham
Baring, W. B.
Barneby, John
Bateson, Sir R.
Beckett, Sir J.
Bell, Matthew
Bentinck, Lord G.
Beresford, Sir J. P.
Bethell, Richard
Blackburne, John I.
Blackstone, W. S.
Boldero, Henry G.
Bolling, Wm.
Bonham, Francis R.
Borthwick, Peter
Bradshaw, James
Bramston, T. W.
Brownrigg, J. S.

Bruce, Lord E.
Bruce, C. L. C.
Brudenell, Lord
Bruen, Col.
Bruen, Francis
Buller, Sir J. Y.
Burrell, Sir C. M., Bt.
Campbell, Sir H.
Canning, Sir S.
Cartwright, W. R.
Castlereagh, Visc.
Chandos, Marq. of
Chaplin, Thos.
Chichester, A.
Chisholm, A.
Clerk, Sir G.
Clive, Hon. R. H.
Codrington, C. W.
Cole, Lord
Cole, Hon. A. H.
Compton, H. C.
Conolly, E. M.
Coote, Sir C. C. Bart.
Corry, Hon. H. T. L.
Crewe, Sir G.
Cripps, Joseph
Dalbiac, Sir C.
Damer, D.
Darlington, Earl of
Davenport, John
Dick, Q.
Dottin, Abel Rous
Dowdeswell, Wm.
Duffield, Thomas
Dugdale, D. S.
Dunbar, George
Duncombe, Hon. W.
Duncombe, Hon. A.
East, James Buller
Eastnor, Viscount
Eaton, Richard J.
Egerton, Wm. Tatton
Egerton, Lord Fran.
Elley, Sir J.
Elwes, J.
Entwistle, John
Estcourt, Thos. G. B.
Estcourt, Thos. S. B.
Fancourt, C. St. John
Fector, John Minet
Ferguson, Capt.
Feilden, William
Finch, George
Fleming, John
Follett, Sir W. Webb
Forbes, Wm.
Forester, Hon. G. C. W.
Forster, Charles S.
Fremantle, Sir T. W.
Freshfield, James W.
Gaskell, J. Milnes
Geary, Sir W. R. P.
Gladstone, Thomas
Gladstone, Wm. E.
Glynne, Sir S. R.
Goodricke, Sir F.
Gordon, W.
Gore, Wm. Ormsby
Goulburn, Rt. Hon. H.
Goulburn, Sergeant
Graham, Sir J. R. G.
Grant, Hon. Colonel
Greene, Thomas
Greisley, Sir R.
Greville, Sir C. J.
Grimston, Viscount
Grimston, Hon. E. H.
Hale, Robert B.
Halford, H.
Hanmer, Sir J., Bart.
Hanmer, Henry
Harcourt, G.
Hardinge, Sir H.
Hardy, John
Hawkes, Thos.
Hay, Sir J., Bart.
Hayes, Sir E. S. Bt.
Herbert, Hon. Sidney
Herries, Rt. Hon. J. C.
Hill, Ld. Arthur
Hill, Sir R. Bart.
Hogg, James Weir
Hope, Hon. James
Hope, Henry T.
Hotham, Lord
Houldsworth, T.
Hoy, James Barlow
Hughes, Hughes
Inglis, Sir R. H. Bt.
Irton, Samuel
Jackson, J. D.
Jermyn, Earl of
Johnstone, J. J. H.
Jones, Theobald
Jones, W.
Kearsley, J. H.
Kerr, David
Kirk, P.
Knatchbull, Sir E.
Knightley, Sir C.
Knight, H. G.
Law, Hon. C.
Lawson, Andrew
Lees, J. F.
Lefroy, Thomas
Lefroy, Anthony
Lincoln, Earl of
Lopes, Sir Ralph
Longfield, R.
Lowther, J.
Lowther, Hon. H. C.
Lucas, Edward
Lushington, S. R.
Lygon, Hon. Col. H. B.
Maclean, D.
Mahon, Lord
Manners, Lord C.
Mathew, Captain
Maunsell, T. P.
Maxwell, H.
Meynell, Henry
Miles, Wm.
Miles, Philip J.
Miller, Wm. Henry
Mordaunt, Sir J., Bt.
Neeld, Joseph
Neeld, John
Nicholl, J.
Norreys, Lord
O'Neill, General
Ossulston, Lord
Owen, Hugh
Palmer, Robert
Parker, M. E.
Patten, John Wilson
Peel, Sir R. Bt.
Peel, Colonel
Peel, Rt. Hon. W. Y.
Peel, Edmund
Pemberton, Thomas
Perceval, Col.
Pigott, Robert
Plumptre, John P.
Plunket, Hon. R.
Polhill, Frederick
Pollen, Sir J., Bt.
Pollington, Visc.
Pollock, Sir Fred.
Powell, Colonel
Praed, Winthrop M.
Praed, James B.
Price, S. G.
Price, Richard
Pringle, A.
Reid, Sir J. Rae
Richards, J.
Rickford, W.
Ross, Charles
Rushbrooke, R.
Russell, C.
Ryle, John
Sanderson, R.
Sandon, Lord
Scarlett, Hon. R.
Scott, Lord J.
Scourfield, W. H.
Shaw, F.
Sheppard, Thomas
Sibthorpe, Colonel
Sinclair, Sir G.
Smith, A.
Smyth, Sir G. H., Bt.
Somerset, Lord E.
Somerset, Lord G.
Stanley, Edward
Stanley, Lord
Stormont, Lord
Sturt, Henry Chas.
Tennent, J. E.
Thomas, Colonel
Thompson, Wm.
Trench, Sir Fred.
Trevor, Hon. G. R.
Trevor, Hon. Arthur
Twiss, Horace
Tyrrell, Sir J.
Vere, Sir C.
Verner, Colonel
Vernon, Granville H.
Vesey, Hon. Thomas
Vyvyan, Sir R. R.
Wall, C. B.
Walpole, Lord
Walter, John
Welby, G. E.
Weyland, Richard
Whitmore, Thos. C.
Wilbraham, Hon. R.
Wodehouse, E.
Wood, T.
Wortley, Hon. J. S.
Wyndham, Wadham
Wynn, Sir W.
Wynn, Rt. Hon. C.
Yorke, E. T.
Young, J.
Young, Sir W. L.

HOUSE OF LORDS,

Friday, February 5, 1836.

MINUTES.] Bill. Read a first time:—Capital Punishments' Abolition Act Amendment.

HOUSE OF COMMONS,

Friday, February 5, 1836.

MINUTES.] New Writs were issued for Stoke-upon-Trent and Cockermouth, Mr. HEATHCOTE and Mr. DYKES having accepted the Chiltern Hundreds.

Petitions presented. By Captain PECHELL, from various Places in Sussex, for the Repeal of the Additional Duty on Spirit Licenses.

HOURS OF BUSINESS.] Mr. *Ewart* moved, that no business except such as was merely formal should be entered upon after half-past eleven o'clock at night. He had before brought forward a similar Motion last Session, and, though not formally, it had been virtually carried into effect by the hon. Member for Salford (Mr. Brotherton), and his object was legally to effect what had already been effected without any positive law on the subject. There would be a great advantage in the House conceding to his proposition, as it must be perfectly obvious that public business would be better conducted by day, than at those unseasonable hours of the night.

Lord *John Russell* dissented from the Resolution proposed by the hon. Member for Liverpool, for which no case of necessity appeared to exist. He thought it much better that hon. Members should be left to exercise their discretion as to the propriety of adjournment upon each particular occasion—a discretion which had so often during the last Session been exercised by the hon. Member for Salford, in a manner at once so agreeable and satisfactory.

Mr. *O'Connell* thought no business of any kind ought to be begun after eleven o'clock at night. The only assemblies in the world which sat by night to transact their business instead of sitting by day, were the House of Commons and the House of Lords: that was, they were the only legal assemblies. It really was high time, that they ceased to do their business with the owls. They had lately been accustomed to hear a great deal about the wisdom of their ancestors. Now, their ancestors were wise enough to begin their business at eight o'clock in the morning, and so lately as 1792, it was one of their standing regulations, that the Orders of the Day should be gone into at one o'clock in the afternoon, and not later. He submitted, therefore, to hon. Gentlemen opposite, that we should go back to the hours which the wisdom of our ancestors had considered the best. A great increase of the business of the House had taken place even within his own time. When he first became a Member of Parliament, they sat for four days in the week only. Now, if at the beginning of a Session, they were to sit three days a week, and commence at ten o'clock in the morning, he was convinced that it would enable them to transact the public business much more satisfactorily than according to the present arrangement. What was the fact at present? From half-past six to half-past nine were generally considered as dinner hours, and during that period nothing was done, or, which was equivalent to nothing, the time was spent in listening to those who would not be listened to at any other time. A more serious inconvenience still was the consequence of turning day into night in the manner they had done. It was highly prejudicial to the health of the Members. He knew at least two Gentlemen who had lost their lives from their incessant attention to the business of the House. Were it delicate to do so, he could name them; but he could assure the House, that it was to the late hours they kept there, that their families attributed their decease. It required a strong, robust constitution to perform the duties of a Member of that House efficiently, and this tended to discourage men of more mature age, men of experience, and less likely to be violent in their politics than younger men from undertaking so heavy a task. It was time they adopted some regulation more consonant with common sense and the ordinary habits of the people. If they sat from ten o'clock in the morning, till dinner time for three days in the week, at the beginning of the Session, after that for four days a week, it would be an effectual sitting; and if on the alternate days Committees commenced their sittings at ten o'clock, private Bills, which now occupied several days together, would be got through in one day, or two at most, and the expense of paying numerous witnesses and Counsel, would be spared to the parties. It would spare the public expense; it would spare the public time; and business would be efficiently and properly transacted. For the present he should be satisfied with moving, as an Amendment, that the words "half-after" be omitted, and that the words, "except of a formal nature" be left out also.

Mr. *Brotherton* approved of this suggestion, and were it not carried, he should persevere in moving the Adjournment of the House every night at twelve o'clock.

Mr. *Robinson* complained, that the hon. and learned Member for Dublin had diverged from the original question, which only related to the curtailment of the hours at present devoted to business, and had wandered into the consideration of another question,—namely, to the propriety of sitting by day. This last change was so serious a one, that it could not properly be adopted without much previous notice and consideration. Plausible as it might at first sight appear, there were many objections to it which were of considerable force, and which ought to be most maturely weighed. There were a large number of Members who must necessarily absent themselves from that House if it regularly transacted its business by day. The Ministers of the Crown, who had to attend their offices and Cabinet Councils in the day time, and professional men, persons connected with the public offices, would all necessarily be subjected to the greatest inconvenience, if not to positive exclusion, if such an arrangement as this were to be adopted. On the whole, he thought it inexpedient to come to any resolution as to the length of their sittings without some further inquiry, for he feared much, that any hasty determination would rather increase than lessen the difficulty.

Mr. *Hume* said, that the hon. Member for Worcester had assigned a very good reason why certain Members who could not attend there should not be Members of that House at all; but surely it was somewhat an extraordinary reason to give why that House should not transact its business at the most convenient hours for itself and the public. No man should enter that House who was not prepared to sacrifice his whole time, if the public service required it; and those whose private engagements prevented them from so doing had better attend to their own business exclusively. With regard to his Majesty's Ministers, he was not one of those who thought the presence of his Majesty's Ministers essential on ordinary occasions. That House was overcharged with business. All private business ought to be removed from that House, and some plan should be adopted which would enable them to give the whole of their time to public business. What comparative importance was it whether a particular road was to be formed in Devonshire or Yorkshire or not, and yet to decide upon questions such as these some of the most important and valuable Members of that House were taken away from the consideration of matters of the greatest public moment. There was no other assembly on the face of the earth which at one and the same time took charge of all the public business of a great nation, and of all its private business too. What was the result? Why, towards the end of every Session, fifty, sixty, or seventy notices were constantly left upon their books; and no man could be a single Session there without being convinced that even what business they did was three-fourths of it ill-considered and badly conducted. As to the public Committees, there was scarcely getting any Member to attend them. If a man were appointed on a public Committee, he was almost always obliged to leave it for a private one, or if he did not he was hunted like a malefactor, whenever a division was about to take place, and hurried away to give his vote, to the great detriment of the public service. If this evil had been powerfully felt last Session, what an increase of it might they not expect this? He put it to them, in what a situation they would be in when fifty or sixty Rail-road Bills came into that House. He would give them the example of the Great Western Rail-road, the Committee on which sat for seventy days. Two Gentlemen who had been put on a Special Committee of great public importance, and who were the best informed men in the House on the subject which that Committee was commissioned to inquire into, were taken away the very first day, and compelled to sit day after day, on this private Committee, which they had no business with, because their constituents insisted on it, and because, whilst private business was to be transacted by that House, it was impossible to expect, that Members would offend their constituents by neglecting that which they deemed to be their local interest. It was of no use for them to deal in patch-work. The House had better look the real evil in the face, and meet it fairly. They were at present overburthened with business, and he put it to every Gentleman, whether eleven or twelve o'clock at night was not quite late enough? If the public business could not be got through between ten in the morning and twelve at night, then the House had better at once resolve to sit all the year round; for the business at all events ought to be done. He protested against legislating by night to please either professional men or any other individuals. There was no necessity for it, and he saw no reason why they should not be enabled to go home like other decent people at twelve o'clock.

Sir *Robert Peel* said, that in the whole course of his experience in that House, and it was considerable, he had never heard a more extraordinary proposition than that which had been just made by the hon. Member for Middlesex. That hon. Member had proposed to take away from that House the consideration of all matters of private business. Now, much private business, as it was called, occasionally involved considerations of serious public importance; and he for one should pause before he gave his assent to transfer it to any other tribunal whatever. He agreed that private business should be subject to such regulations as to prevent, if possible, the interference of private influence; but he could not concur in the policy of any regulation which should prevent hon. Members from giving their attention to the local interests of their constituents, by placing private business under the control of any other authority. He could not conceive anything more derogatory to the just authority of the House than such a transfer. The hon. Member said, "What signified a road in Yorkshire?" It might be true that a road between one village in Yorkshire and another was of no great importance to the nation at large, but the establishment of canals and of leading lines of rail-roads through the country was a matter of great national consequence, and involved considerations of far too great importance for him ever to consent that any authority less than Parliament should decide upon them. The hon. Member had himself shown that it would be unwise to press this proposition at the present moment; for he stated that some new regulations must be made for the arrangement of private business. Surely, then, it would be much more convenient to postpone the present Motion till those arrangements had been under consideration. The present Resolution would not meet the evil complained of. It required that no business should be pressed on after half-past eleven at night. The words of the corresponding resolution last Session were "no new business." Now the hon. Member complained as much of the protraction of debates after that hour as of the commencement of new business. All that this Resolution would prevent was a new debate on a new subject after half-past eleven. But he would put it to the hon. Gentleman whether the sense of the House itself would not be quite sufficient to prevent any new business from being improperly pressed forward at an untimely hour, without fettering themselves with such a resolution? If any Gentleman brought on a new subject after half-past eleven, and the House felt that it was already exhausted with the consideration of previous business, he felt convinced that there was sufficient of practical good sense in the House, and sufficient force in the modes in which their opinion was usually intimated, to prevent any unreasonable demand on their time and patience. It was quite unnecessary for them to pass any Resolution. No resolution could prevent the occasional extension of a debate to two or three o'clock in the morning, and therefore those who, like the hon. Member, desired to return to their rest regularly at twelve o'clock, would not have the opportunity which they so eagerly sought after. Much had been said about sitting in the day. Abstractedly speaking it might be better to commence business at ten in the morning than at five in the afternoon. But it was impossible for them now to make such a regulation, without many corresponding regulations to give it due effect. Without relying absolutely on the objection that it would exclude professional men and merchants, it would be well worth their while to consider, that although strictly speaking it was the duty of every man who sat there to sacrifice his private to the public business, whether the public would ultimately gain by a strict enforcement of this rule? Many eminent lawyers, and many eminent mercantile men, some of the most valuable Members of the House, would of necessity be excluded, and it might fairly admit of doubt whether the public would gain much by a change which involved this consequence. Take also the case of Committees, public and private. If the House began business at ten o'clock, and if the attendance of its Members were required at its sittings, what time would they have disengaged to attend to Committees? If another consequence of their sitting at so early an hour was to be that Committees were to sit at a late hour at night, he appealed to the hon. Member himself whether the business on the whole would not be much worse done than it was at present? With regard to the attendance of the Ministers of the Crown, it would be no easy matter to make such an alteration in the mode of conducting their business, as would enable them to attend the House punctually and uniformly by day; and, setting apart entirely all consideration of their private convenience, he thought the necessity which would be imposed upon them of transacting their official business at the hours of two and three in the morning, would be detrimental to the public service. A resolution of this kind would, in fact, require so many corresponding resolutions to give it effect, and would create so great a change in all existing modes of transacting business, that he would not, at all events at present, and in the total absence of every other preparatory arrangement, give his consent to it.

Mr. *Ewart* agreed with the hon. Member for Middlesex that a very large portion of the local business now transacted by that House might be judiciously transferred to local tribunals. One great source of complaint with him was, the irregularity of the pressure of business of the House upon some Members and not upon others. On what was technically termed "field days" there was a full attendance of Members, but on ordinary occasions the great burthen of attendance fell upon a certain number of Members who felt it their duty to remain at their posts, though they did not feel less strongly the unequal share of labour which was thus imposed upon them. He approved of earlier sittings. Perhaps, the best plan that could be adopted would be, for the House, at the beginning of the Session, to devote three whole solid days a week to public business, and three other days aweek to public Committees. This, however, was matter for future consideration; but, in the meantime, as they must make a beginning, and as common sense and the public convenience were both in favour of earlier hours, he thought they could not do better than adopt this Resolution, which he was ready to alter according to the suggestion of the hon. and learned Member for Dublin, if that alteration met the views of the House.

Mr. *Thomas Attwood* agreed with the hon. Member for Middlesex that private business, and even questions as to the establishment of railroads, might with great propriety be intrusted to some subordinate authority—perhaps with the safeguard of an appeal to a Committee of that House. It might be referred to the Justices at Quarter Sessions, or to a delegation from the Justices of several counties (*arrondissements*), five or six for England and two or three for Ireland and Scotland; and this would leave the House at liberty to attend to the more important functions of legislation. At present they were so overpowered with business that four-fifths of it was done in a very hurried and inefficient manner.

Dr. *Bowring* said, the attention of the House was distracted from the consideration of its more urgent business by the vast variety of claims upon it. He had witnessed the proceedings of more representative bodies than most individuals of that House, and he could say that that was the only representative body that did not make all other concerns subordinate to the great public interests intrusted to their care. The public service would gain very much if they gave to the public interests the hours of the day instead of the weary and exhausting hours of the night. It became them to take some measures for the furtherance of the public business; and he trusted that the House would give attention to the proposal of his hon. Friend; and sure he was, that unless the period arrived in which the day should be given to the great concerns of the nation, those concerns could not be properly attended to.

Mr. O'Connell's Amendment was negatived without a division, and the House divided on the original Motion.

The gallery was then cleared for a division, when there appeared: Ayes 51; Noes 233; Majority 182,

List of the AYES.

Atcherley, D. F.
Attwood, Thomas
Bagshaw, J.
Baldwin, Dr.
Barnard, E. G.
Barry, G. S.
Bish, T.
Bodkin, J. J.
Bowring, Dr.
Brady, D. C.
Brotherton, J.
Butler, Col.
Callaghan, D.
Crawford, W. S.
Edwards, Col.
Elphinstone, H.
Fielden, J.
Fitzsimon, C.
Gillon, W. D.
Grote, G.
Hardy, J.
Heathcoat, J.
Hector, C. J.
Hindley, C.
Hume, J.
Lennard, T. B.
Lister, E. C.
Maher, J.
Molesworth, Sir W.
Musgrave, Sir R.
O'Brien, W. S
O'Connell, M.
O'Connell, J.
O'Connell, M.
O'Connell, M. J.
Palmer, General
Potter, R.
Roche, W.
Rundle, J.
Sinclair, Sir G.
Strickland, Sir G.
Tancred, H. W.
Thorneley, T.
Tulk, C. A.
Turner, W.
Wakley, T.
Wason, R.
Wilks, J.
Williams, W. A.

TELLERS.

W. Ewart.
D. O'Connell.

SPAIN—REPORT ON THE ADDRESS.] The Report on the Address was brought up.

On the motion that it be agreed to,

Mr. *Fector* said, that under the peculiar circumstances in which he felt himself placed, and the vote of the previous night, which sanctioned the terms and the principles of the Address from the Throne, he should appeal to the indulgence of the House for making some remarks on a subject of great importance to the interest and honour of this country, as they affected our foreign relations and our internal interests. The subject was the passage in the Royal Speech which was echoed by the Address relative to the affairs of Spain. He felt himself called on in justice and duty to protest against this portion of the Speech and the Address, and the whole conduct of the Government towards Spain, which reflected discredit beyond measure upon all those who were instrumental in our recent proceedings with regard to that country. Paragraphs appeared in the newspapers of the day detailing the nature of our interference with the internal concerns of that country, and unfolding monstrous crimes and horrors, in no small degree created by our wanton and unprincipled tampering, which were a reproach to the present age, and fixed a blot on our humanity. He could not be supposed to know what estimate Gentlemen opposite set on their own character, but if he were to judge from the decision that all unprejudiced and impartial men had pronounced on it, he should look on it as reduced to a very low standard. The abetting of sanguinary courses of public and uncalled for confiscations of property, of devastation of whole districts, was not a course that could or ought to be expected from the Government of Great Britain. Why, he would ask, should the British Parliament lend its approval to the measures of any government in friendly relation with it that was guilty of such barbarities as were practised at Barcelona and other places? How did the Government act in their intercourse with Spain? They had virtually sent out, by their connivance at a public enlistment, hordes of ruffians from the purlieus of London to wage war against a nation with whom we professed to be at peace. By this act they degraded the character of the British officer and the British soldier. It was an insult to British feeling. Even the British navy was tainted by their unusual and dishonourable conduct, by their making British vessels prison-houses and convict-ships for the reception of foreign prisoners. He deeply regretted the conduct of a British Minister who could sanction such proceedings, and lower the character of Great Britain in the eyes of Europe.

Mr. *Grove Price* rose amidst considerable confusion, and interruption. The hon. Member said, if the feeling of the House were expressed against his addressing it on the subject to which his hon. Friend had made such just and pointed reference he should bow to its decision and be silent; but if it were meant to resist him by unseemly clamour and offensive interruptions, then he should persevere in vindicating his privilege as a Member of Parliament, and deliver his opinions. He would ask was it decorous and fair for any hon. Member, or party of Members, to insult and thwart another Member, when he stood forward to deliver his free and conscientious opinions? Was this the usage of Parliament? Was this "fair play," in which Englishmen so much excelled? He would appeal to the honour of the House. He would, in despite of any factious clamour, maintain his own principles, which were the principles of the British nation—the principles of liberality, impartiality, and humanity—principles that were as much opposed to dishonourable dealing as they were to reckless and unprovoked cruelty. He would, therefore, not allow himself to be beaten down by factious ejaculations, which reflected disgrace on the parties, in delivering his opinions on the present uncalled-for and unprincipled interference by our Government in the civil commotions of Spain. He did not regret his having abstained from entering into the discussion on this point last night, because he did not wish to encumber the general question of the debate on the Address with any irrelevant and desultory dissertations on an isolated subject. He thought it better to hear the arguments of the right hon. Baronet (Sir Robert Peel), on the whole subject of the Speech, than create interruption by the expression of his own views on an isolated point—a dissertation on our foreign policy as affecting Spain. He did not appear before the House as the propounder of abstract opinions, or as a mere political or moral theorist; on the contrary, he had deep experience of the actual condition of Spain for the last two years. That country which was the theatre of British glory for so long a period, to which we were bound by so many noble and interesting ties, and whose prosperity or degradation must affect us either in the way of celebrity or humiliation. But it was not merely a feeling for the interest of Spain that impelled him so much as a love for justice and humanity to raise his voice in humble but resolute dissent, not unmixed with indignation, from the style and spirit in which the barbarian policy of the present rulers of Spain had been alluded to with so much inflation of unprincipled and unmerited panegyric. Whenever and wherever the brutal conduct of the present Government of Spain was spoken of in terms of commendation, no matter how high the quarter, or great the authority might have been whence the praise might come, he, as a man with the feelings of a Christian, " considering that nothing human was alien from his consideration and sympathy," should, and ever would, receive it with sturdy remonstrance and indignant disclaimer. The Speech from the Throne and the Address spoke of " the vigour and prudence" of the Queen of Spain. Where was that vigour displayed ? It was found anywhere but in the field. If any where found, it was only to be found in the cruel butchery of unoffending and helpless multitudes by savage banditti whetted on by the stimulants of authority, and inflamed by political rancour. Where was their prudence exhibited ? It was not in the wise and temperate councils of a Government anxious for the perpetuity of general concord among the people, for the preservation of their happiness and the security of their liberties. It was not surely to be seen in the wild saturnalia of atrocities that marked the career of one of her favoured Generals, who had marked his way with the blood of his countrymen, a man dead to all the commiseration and compunctions of human nature, whose name must go down the stream of time encumbered and blasted with the execrations of a feeling and discriminating posterity. Yes, he would not hesitate to brand with the name of monster a man who, professing himself to be a great and old patriot, would strew his road of conquest with the bodies of his own countrymen, whose success was only to be registered by the extermination of whole villages, the decimation of the people and the tears and cries of orphaned children and widowed mothers. What other name than that of monster could he give to the hoary butcher of Catalonia? " Vigour and prudence," indeed! What an abuse of names! what a mockery of justice and morals! If the Ministers of the King, or the noble Lord whose peculiar department it was to superintend the foreign relations of the country, and who seemed to look on the mighty and complex interests of Continental States with as much levity and heedlessness as he would on an useless hair-dye, were to add to " vigour and prudence" the word " commiseration" the climax of insult and derision would be complete; and it would fill up the measure of the bitterest and most unfeeling sarcasm that ever fell from the lips of man. Was it " vigour and prudence"—for it was either as much as it was " commiseration"—to drag forth the helpless children before the files of bristling troops, and then compel the fathers to discharge the contents of their loaded musketry into the bodies of those who sprung from their own loins? He should apologise for his warmth, but it was natural warmth, for who could feel cool and composed in the contemplation of these unmatched barbarities? What would the House or the country say when they found that these infuriated brutalities were not the sudden and giddy impulse of excited politics or of religious enthusiasm, but of a cold, predetermined, and savage imitation of the demon cruelties committed at Nantes under that ministerial apostle of democracy, Fouche? It was not enough to kill life—revenge was carried beyond the gates of death, and the bodies of the victims were exposed to the most revolting indignities. Yet these were the men whom the Counsellors of his Majesty represent and laud as fit objects for freedom and proper Members of a representative Government. The name of liberty was prostituted and degraded in such a cause. These men were unfit for rational or constitutional liberty. Their liberty was the dissoluteness of brigands. If they were fit for liberty, let them first introduce some defined and fixed plan of good Government—some stable principles of justice—some steady code of human morals. It was true a few were punished because they chose to erect a constitutional stone, or some such foolery; but the great authors of these sanguinary crimes escaped. All this no doubt might be considered as evidence of the vigour of Government; but what had been the proof of its prudence? It consisted in the confiscation of Church property—with what view? To feed the speculating vultures of the Stock Exchanges of Europe. He should be sorry to encourage any system of representative or civil Constitution, which would repay hireling delegates from the confiscation of settled property. This would not be justice, the great and bountiful mother of civil institutions, as she was the nurse and mother of our individual connexions and relations with each other. What was justice? It was not a pure abstraction merely, defined and definable according to the fancy of every interested and rotten-hearted speculator. It was a principle that applied equally to all men, guarding, above all things, the sacred and old-fixed rights of property. It was the same whether it affected individuals or communities. It was on such grounds that he should resist the confiscation of Church property, although he would modify and so arrange it as to make it conducive to the greatest possible good. He was surprised that the hon. and learned Member for Dublin (Mr. O'Connell) did not denounce this wholesale confiscation with all that vehemence and daring with which he denounced even imaginary wrongs. He professed himself a rigid Catholic, anxious, above all things, for the maintenance of the Catholic ascendancy in its good old character. But why should he be surprised? The confiscation in Spain was for the advancement of revolution and the good of democracy, and, as such, it did not come within the range of his censure. He advocated confiscation at home, but he blinked the question of confiscation abroad. He was a good Catholic, doubtless, and wished to steer clear of any expression that might affect his Church. How loud would have been his denunciations if, the Question of Irish Tithes not intervening, this subject of the confiscation of Church property, were the only question that engrossed his mind? He would now venture to allude to the hope expressed in the Address, that the Carlist party in Spain would soon be crushed by the measures now adopted against them. He could not join in that hope. He had some knowledge of Spain, from information derived from friends who had been much in that country. He believed that Spain was at present divided into two great parties, of one of which the Queen's party was a mere fraction. The liberal party, as it was called, consisted of people in office, and of men who held republican opinions. Since the days of Gil Blas the Spanish nobles were fond of salaries—they would support any Government. They were fond of luxurious ease, and full of their own importance; they were not, therefore, the men likely to make a struggle for their own independence. In the civil commotions that raged in that country of late they had been excluded from power because of their incapacity, and this exclusion rendered them still more incapable. They were the men who welcomed Joseph, and hailed the tyranny of Napoleon, and if they succeeded in crushing Don Carlos, would hurl Christina and her daughter from the throne in less than six months. That party possessed the sea-ports; it enrolled in its ranks nearly all the men of letters in Spain—that he admitted; it had also on its side all the race of speculators; it embraced a small number of the apostate clergy, a small portion of the population of the towns, and the rabble everywhere. On the other hand, the Carlist party consisted not of those whom the noble Lord had described as its members some eight months ago. It was not confined entirely to the four Basque provinces. That party formed the mass of the rural population of Spain. It formed a large division in the towns; it had the clergy to a man; it had the whole of that noble order of men whom we designate Yeomen; it had also the entire order of the peasantry. He had a Return from the Secretary-at-War to Don Carlos, from which it appeared that there were, at this moment, in arms, 100,000 powerful and determined men, all anxious to support the cause of that Prince. [*Laughter.*] If the noble Viscount (Viscount Palmerston) doubted the fact, he would show him the Return. Besides their numbers, there were other reasons why the Carlist cause must succeed. He wished that the noble Viscount, before he plunged the country into difficulties, of which no man could now say, that he saw the end, had studied the character of the people of Spain. Look, he would say, at the different characters of the combating armies. The Carlists were under the impulse of four of the strongest feelings which influenced the heart of man. First of all, they were a people of a simple and pastoral race, long accustomed to their own habits and institutions. They had lived and died as their forefathers had lived and died. [*Laughter.*] He believed that he had used one word in mistake. He would withdraw the word "died," and would use the word "succeeded," in its stead. The first principle, then, on which the Carlists were nerved was one which the noble Viscount would be astonished to hear as coming from his lips; but from their long habits of independence, and from the little superintendence of their Government, they had contracted something of the sternness and resoluteness of the Republican character. They had next, a devoted attachment to their institutions, which they had possessed from a period long antecedent to the earliest Charter granted to the people of this country. These institutions had all been destroyed by the tyrannical Government of Madrid. The third principle with which they were embued, was the principle of religion—they were attached to their clergy, and the massacres of Barcelona, of Saragossa, and of Madrid, were not likely to attach them to their new masters. The fourth principle, was the principle of chivalry, which had induced them to rally round the standard of a Prince, who preferred to a life of ease, and indulgence, and wealth, the assertion, amidst privation, and distress, and danger, of the rights which had fallen upon him as the descendant of the first Sovereign in Europe, and who had chosen to share the bivouac of his soldiers, rather than disgrace and degrade himself by accepting the miserable pension which the Government of the Queen proposed to dole out to him. What was the party arrayed against him on the other side? Were they not men who, being actually dragged into the field, without the slightest interest but their pay, were unable to meet the hardy warriors of Don Carlos in fair and open fight? Were they able, he repeated, to contend with such hardy warriors? No, wherever they had met them, they had fled before them, publishing, when their retreat was accomplished in safety, fictitious bulletins of victories which they had never achieved. Within the last month, Generals Cordova and Evans had sustained from them more than one shameful defeat; and, lamentable as the statement was, it was only fit that the House should know it, the very arms which this Government had sent from England, were the first weapons embrued in the blood of Englishmen. The conduct of the partizans of Don Carlos, at the same time, was moderate and humane in comparison; but the conduct of his opponents was marked by the most heartless cruelty. They had shot their wounded prisoners — they had massacred whole villages—they had decimated their own ranks to prevent desertion—and, notwithstanding all this, of which he could not suppose the noble Viscount to be ignorant, the noble Viscount had come down, with his bland and dulcet voice, to inform the House of Commons, that the prudent and vigorous conduct of the Queen's Government would soon restore tranquillity to Spain. He had read, he must say, with deep horror, a letter which had appeared in the public newspapers, and which purported to be written by the noble Viscount to a most venerable man, the Bishop of Leon. The Bishop of Leon was anxious that the Christinos of Spain should be less prodigal of blood than they had been for some months; and, to accomplish that great object of his anxiety, had written to the noble Viscount in the mild spirit of a clergyman, requesting him to exert his influence to save the lives of twenty-seven of his countrymen, who had been captured by a Spanish cruiser off the coast of Spain, whilst sailing under the protection of the British flag. What was the answer which the Bishop of Leon received from the noble Viscount? No answer, so far as the safety of those unfortunate men was concerned. He did indeed obtain a reply to his application, but it was in a tone bordering more upon flippancy than became a Minister of the British Crown. In answering that petition for mercy, the noble Viscount went out of his way to bring a charge against Don Carlos of having prescribed to his officers and soldiers, the assassination of their prisoners as a military duty, and after doing that, proceeded to sneer at the motives of the Bishop of Leon, who, he was informed, was a pattern of the Christian faith which he believed and professed. Spain was a member of the great European community, and her internal tranquillity must always form matter of deep interest to the other branches of the community, inasmuch as there could not be a Revolution in one State of Europe at present without something like injury accruing to every other. But when he looked to the condition of Spain, and heard men express hopes for its peace and tranquillity, and saw nothing there but scenes of riot and disorder, he felt that he could not close his remarks upon that subject better than by reminding the House of an observation which had been made by a great master of men and manners, whose immortal works still attracted the same attention which they had attracted 2,000 years ago:—"In turbas et discordias pessimo cuique plurima vis—pax et quies bonis artibus indigent." Nothing could be more delightful than our present friendship with Louis Philippe, the hero of the barricades, the Monarch of the glorious days of July, the friend of the Press! [" *Hear, hear.*"] Aye, there's the rub. He knew that in the opinion of some hon. Gentlemen a Throne could only be hallowed by illegitimacy. A legitimate Monarch could not have done one-hundredth part of what Louis Philippe had done. Nicholas of Russia, with all his barbaric pomp and power, dared not attempt a tenth part of the tyranny of Louis Philippe. The French were now paying the penalty of that great saturnalia of iniquity in which they had revelled during their Revolution; and such was the destruction of every barrier against despotism which then took place, that it was now found impossible to construct the fabric of a Constitutional Monarchy without making the nation previously undergo the ordeal of an absolute Oriental despotism. He wished to put the noble Viscount opposite on his guard with respect to the alliance with France, which he had every reason to believe the noble Viscount would find hollow and uncertain as a building of untempered mortar. Frenchmen never would forget the victories over them, achieved by British arms; the present generation thirsted for revenge—the next would inherit their feelings and tread in their footsteps; and an English alliance, unless for some immediate and interested purpose, would always excite the detestation of the French, because this country had hurled their idol from his Throne of power, and erected the standard of England on the heights of Montmartre. As long as the trophies of Waterloo existed, France would look for vengeance. One country had been at the head of the Revolutionary *Movement* for years, as the other had been the leader of the Conservative party of Europe; and it was not to be imagined, considering the circumstances and the jealousies to which he had referred, that an alliance between France and England could be reckoned upon as stable or permanent.

Mr. *Hume* said, the hon. Member for Dover had characterised the hon. and gallant Member for Westminster in a manner and in language that could not be borne in any civilized country. There were no epithets in the English language worse than those which the hon. Gentleman had applied to his hon. and gallant Friend, and to the British troops which were serving under him. Did the hon. Gentleman seriously think that a gallant officer, who had so highly distinguished himself in the British service, ought to have been spoken of in such terms? The time would come when his hon. and gallant Friend would have an opportunity of vindicating himself; but as that time had not arrived, he (Mr. Hume) could not refrain from protesting against the course which had been pursued by the hon. Member for Dover. The language used by the hon. Member was entirely inapplicable to the object of his attack, who was perfectly justified in what he had done. Was it the first time that English troops had fought under foreign banners? And for what did they fight? For the cause of the constitution and for the cause of liberty. He would take upon himself to say that, considering the whole of the language used by the hon. Member for Dover and the hon. Member for Sandwich, with respect to the system of proceedings in Spain, those hon. Gentlemen ought to be grateful for any assistance that was calculated to put an end to such a system. Did the hon. Member for Dover suppose that there was any man in that House, on which side soever of it he might sit, who approved of the atrocious proceedings of either the Carlists or the Republicans; or who would give his sanction to the dreadful proceedings which had taken place at Barcelona or elsewhere? It was true that the hon. and learned Member for Dublin had in that House distinctly characterized those proceedings, and had condemned Mina and the other individuals connected with them in the manner in which they deserved to be characterised; but did the hon. Member for Dover, therefore, suppose that there was any man in that House prepared to defend those proceedings? For himself, he willingly admitted that it was impossible to conceive any thing more horrible than the Barcelona murders. But what was their cause? It was the violence of the proceedings on the other side of the question which had led to retribution and punishment. All this only showed what must be the result of civil war, and ought to act as a strong inducement on those who had the power of putting an end to it to do so. He, therefore, thought the whole of that portion of the speeches of the hon. Members for Dover and Sandwich which was addressed to this subject was irrelevant; and he thought that those hon. Gentlemen had cast aspersions where they ought to have abstained from doing so. The Address itself contained allusions to so many important questions, that he was unwilling to offer a single observation upon them. When he looked at the statements respecting the prospect of a continuance of peace in the world, the expediency of settling the Tithe Question in England and Ireland, the justice of putting the Dissenters on the same footing as their fellow-subjects, and the other measures adverted to in the Address, he could only say that he considered those measures as the harbingers of the peace and prosperity of the empire. On the whole, he hailed the Speech from the Throne as pregnant with advantage to the country. But there was one single point on which he begged leave to say a word; he meant the proposition for increasing the supplies required for the navy. If his Majesty's Government would get rid of 10,000 of the troops now employed in Ireland (which, in his opinion, under existing circumstances, they might do with perfect safety), they might apply the money to the naval service. The reasons assigned for this increase of the naval expenditure were the same as those which had been assigned in similar cases by every Government in the country during the last twenty years. For his part he could see no sound reason for the step, and he hoped his Majesty's Ministers would reconsider it. He protested against that proposition as the only part of the Speech and Address to which he had an objection. He repeated that he had no objection to reduce the army in Ireland for the purpose of increasing the navy. While Ireland was ill-treated it must be filled with troops; but if justice were done it, if it were put on the same civil footing as England, so also might its military establishment. In his opinion, his Majesty's Ministers in that House deserved great credit for their persevering resistance to the Amendment on the Address which had been moved by the right hon. Member for Tamworth. He wished their colleagues in another place had shown equal firmness. How was it to be understood that Ministers, sitting in the same Cabinet should hold different opinions on a question of so much importance? He was quite aware that it might be supposed that there was a majority in the other House of Parliament which rendered any opposition to the proposed Amendment hopeless. But that was the very reason for persevering in that opposition, as the result would show the country who were the parties favourable, and who were the parties unfavourable, to liberal principles. To him it would be the last recommendation of any proposition to say, that it was favoured by the House of Lords. He considered the Peers as destitute of fellow-feeling for their countrymen; as out of the pale of general sympathy; and the time was coming when this would be the universal conviction of the community. Though the Lords were privileged, they were not privileged to do evil. The proceedings of the House of Lords last year were not of a nature to recommend the adoption of any of their propositions. While, therefore, he congratulated the Ministers in the House of Commons on their successful resistance to the Amendment of last night, he lamented the acquiescence in it of the Ministers in the other House of Parliament. This state of things, however, could not go on long. The Lords must be made to feel that the people were determined upon having a real reform of abuses, and a good and economical Government; and, unless they turned over a new leaf, whatever they recommended would be opposed, and whatever they opposed would be supported and carried. Out of that House, no voice was raised in favour of the House of Lords. He defied any man to show him a public meeting at which the House of Lords had been spoken of with favour. They might be courteously treated in conservative societies; but he repeated his denial that at any public meeting they had been spoken well of by any class of the people. He hoped there would be no change in the determination of that House; he hoped there would be no change in the determination of his Majesty's Ministers, evinced last year, and in which determination the country would warmly support them, to yield equal justice to Scotland, Ireland,

and England. That certainly would not be the case if the Tories were to come into place. He would not refuse them the indulgence of fancying they might do so; but in his opinion there was very little chance of it. In the meanwhile he would continue strongly to recommend public economy. It had been found that Acts of Parliament would not keep up the price of corn. The remedy was to reduce the establishments of the country, as the prices had been reduced, to the level of the year 1792. To that they must come. The expenses of the Government, notwithstanding the great reductions which had been made by the present Administration, were still altogether too much. The country ought not to be saddled with any additional expense for the navy or army; and he had confidently expected that great reductions would have been made in the colonial and other branches of the Government. Ministers would never have his uniform support while he saw them continuing a larger system of expense than, in his opinion, they ought to maintain. With these observations, he entirely concurred in the proposed Address.

Mr. *Arthur Trevor* would not have obtruded himself on the House had he not felt strongly the unjust terms applied by the hon. Member for Middlesex to the speech of the hon. Member for Dover. The hon. Gentleman charged the hon. Member for Dover with using unjustifiable expressions in reference to General Evans. He had listened with pleasure to the speech of his hon. Friend, but felt at a loss to recollect any expressions deserving of the animadversions of the hon. Member for Middlesex. He understood the hon. Members for Dover and Sandwich to argue, that if ever there was an instance of unprovoked and improper interference with a foreign power by Ministers professing neutrality, it was to be found in the conduct of the British Government towards Spain. He fully concurred in this view of the case, and while he denied that the allusion of the Member for Dover reflected upon the character of General Evans, he acquiesced in the opinion that those whom he commanded were the refuse of the rabble of London, and he thought it a disgrace to the British army to find an officer like General Evans, of some distinction, and the possession of considerable reputation, engaged in a species of warfare such as had been alluded to. The hon. Member for Middlesex had indulged not only in unjustifiable but uncalled-for and unconstitutional observations on the other House of Parliament. The hon. Gentleman said, that "he liked no one of its acts." God in heaven forbid that the hon. Gentleman ever should like any act of the House of Lords. God in heaven forbid that the advocate of reckless change, and the hater of existing institutions should ever sully with one expression of approbation an assembly to which every sincere friend of the monarchy looked in times of danger for protection and salvation. He was not indeed surprised, when he recollected the hon. Gentleman's language both out of doors and within those walls, to find him casting such aspersions on the Lords; but he must say, that such conduct was derogatory and unworthy of the character and dignity of a Member of that House. He saw not what business any Member of that House had, on every occasion, to bring forward the House of Lords, and convert its proceedings into subjects of debate, unjustly attempting to expose them to public odium, representing the Peers as indifferent to the best interests of their country, deaf to the prayers of the people, and ignorant of their wants and wishes. Such charges were unjustifiable and gross, and, if not transgressing the rules of Parliamentary discussion, he would add, that they were worthy of the hon. Gentleman who made them. He for one, in justice to the principles which he professed, could not do otherwise than enter his solemn protest against the Address about to be sent up to his Majesty. With the exception of what was sufficiently clearly expressed with regard to the Irish Corporations, the whole was *vox et pretærea nihil*, for not another subject was placed in a clear or satisfactory light. One important subject introduced by Ministers last Session, and converted into their war-cry, had been consigned to the tomb—he hoped he might add, to oblivion. Of course he referred to the Appropriation Question. They were told, indeed, of a hope that the Question of Tithe in Ireland would be settled so as to establish harmony and peace in that country; and it was also stated that, on receiving a further Report from the Commission appointed to inquire into the state of the dioceses of England and Wales, the Parliament was to direct its attention to the Ecclesiastical Establishment, with the intention of rendering it more efficient for the holy purposes for which it had been instituted. He sincerely wished the establishment might thereby become better adapted for its sacred purpose; but when he considered into what hands the changes to be made, and the management of the plan would fall, he looked on the matter with an extremely jealous eye. He had no confidence in the individuals who, last Session, supported the proposition of appropriating the revenues of the Irish Church to other than Ecclesiastical purposes—he did not think they would do justice to the Church property of England; and, in fact, he anticipated nothing short of this—that, if unchecked, they would pursue some similar system of spoliation with respect to the Church in this country. He hoped, however, that there would be such an expression of public feeling as might induce them to pause in their course.

Mr. *Ewart* observed, with reference to the accusation preferred by the hon. Member for Durham against his hon. Friend, the Member for Middlesex, of treating the House of Lords with disrespect, that the House of Lords had on former occasions been compelled to adopt measures which had been advocated by the hon. Member for Middlesex, and that it was exceedingly probable that they would be obliged to do so again. There were measures which the hon. Member for Middlesex would advocate that might be carried—that must be carried through the other House. The hon. Member for Sandwich had panegyrized with some vehemence the phraseology in which the hon. Member for Dover had characterized the conduct of one of the parties in Spain. On that point he would only say, that, like the hon. Member for Middlesex—and he was sure like every other Member of that House—he reprobated inhumanity, on which side soever it might be exhibited. But there was one part of the speech of the hon. Member for Sandwich against which he must strongly protest: he meant the passage in which the hon. Member spoke of the enmity that existed between this country and France. He must say that he had heard with great regret and pain the declaration, that because one generation might have cherished such an enmity it must be cherished by the next generation also. This was a strange and unphilosophical view of the tendencies of nations, and he trusted it would prove to be an erroneous one. For his own part, he hailed with infinite satisfaction the statement in his Majesty's Speech of the intimate alliance between the two countries—an alliance, however, which he wished to consider not so much between the Monarch of this country and the Monarch of France, as between the people of this country and the people of France. To the late Monarch of France it was impossible not to apply a line from the works of one of the greatest poets of which that country could boast—

> "Jamais l'exil n'a corrigé les rois."

In those parts of the Address alluded to by the hon. Member for Middlesex, he (Mr. Ewart) cordially concurred. Although circumstances might warrant an increase of the navy, he trusted that no long time would elapse before they would be enabled to reduce the army, especially that part of it which was quartered in Ireland. Sure he was that the only real and sure road to economy was through the means of reason and justice.

Mr. *Potter* could not but regret the observations which had fallen from the hon. Member for Durham (Mr. Trevor) in reference to the hon. and Gallant Member for Westminster. The reflections attempted to be cast upon the conduct of that Gallant Officer he thought were wholly uncalled for. As regarded the Speech delivered from the Throne, he confessed that to him it had afforded unbounded satisfaction, and as it became known throughout the country he had no doubt but that the feeling of satisfaction would become general. As a Dissenter, he begged leave to thank his Majesty's Ministers for the intimation which the Speech conveyed of their intention speedily to remove those grievances under which the Dissenting bodies still laboured. Upon that point he hoped he might congratulate them that one of the intended measures of relief would be the removal of the odious impost known by the name of Church-rates. He rejoiced exceedingly in the decision to which the House had come last evening, because he felt it would carry peace to Ireland, and to enable us to carry on the Government of that country without the necessity of maintaining so large a military force as unfortunately had hitherto been found requisite. He hoped, also, that the men and estimates for the navy would be met by a large reduction of those for the army.

Dr. *Bowring* had heard, with great pain and regret, the speech of the hon. Member for Sandwich. Last night he had hailed it as a triumph for the cause of humanity, liberty, and civilization, when the right hon. Baronet, the Member for Tamworth, sitting in the same place as that at present occupied by the hon. Member, stated that he at least saw with delight the arrival of an epoch at which the intimate union which existed between France and England might be referred to as one of the boasts and triumphs of the present times. On the other hand, it was most painful to hear language falling from the lips of a British senator, which was nothing less than calumnious towards two great nations. The hon. Member for Sandwich represented the Spanish nation as unworthy of freedom, and he spoke with something like an intimation that he was intimately and peculiarly acquainted with the circumstances of Spain, and the nature and character of the troubles by which she was at present distracted. Emboldened by that knowledge, the hon. Member broadly declared that the popular feeling of Spain was ranged on the side of Don Carlos. The hon. Member must allow him to say that that was not the fact. He was not without some personal knowledge of Spain, and he would venture to assert that for the last thirty years the people of the Spanish nation had every day been rising in intelligence, and every day feeling more and more the desire to obtain constitutional guarantees for freedom. And he would venture further to assert, that the Spanish people had entered upon a career in which they would ultimately succeed—a career which would infallibly lead to the overthrow of misrule, and to the establishment of good government with all its happy consequences. There existed in Spain a desire and determination to obtain popular institutions, and, in spite of Don Carlos, and in spite of the advocates and admirers of Don Carlos, the people of Spain would obtain the object of their long enduring struggles, and a constitutional Government would be firmly established in that country. The friends of liberty looked brightly to the future—the friends of despotism could look only darkly to the past. Neither was the hon. Member warranted in what he asserted of France. The days of enmity towards England had passed away, and had been succeeded by nobler and friendlier sentiments. It had been his privilege to traverse France in all directions; and, with the knowledge he had thus obtained of the feeling of that country, he could venture to assert, that as soon as England got rid of the incubus which so long had depressed her energies—as soon as England appeared in her reformed and regenerated character, every feeling of animosity ceased, and the affection of France and Frenchmen was obtained for her; and, he had no doubt, that England would reap the full benefit of this improved state of things. If the present judicious policy was pursued, he ventured to predict that all animosities between the two countries would pass away, and that the alliance between England and France would establish the peace and prosperity, not only of Europe, but of the world at large.

Lord *Francis Egerton* had not intended to ave taken any part in the discussion of the evening, nor should he have done so but for the notice which the hon. Member for Middlesex, (Mr. Hume) had taken of a cheer which came from him whilst the hon. Member was speaking. It certainly did appear to him (Lord F. Egerton) that the line of argument pursued by the hon. Member for Middlesex laid down the position that this country through all ranks and classes, held something like an unqualified concurrence in the opinions which the hon. Member himself entertained. Fancying that to be the position intended to be laid down, he in his situation in that House, did take the liberty of expressing his dissent from it; for he could not but feel that, however easy it might be to raise a clamour, and to beat down argument, amidst that portion of the community which was not prone to express its sentiments in the noise of public meetings, he had at least a right, representing as he did some thousands of constituents in that House, to state that those sentiments were not entertained by a portion, and not the least respectable portion, of the community. That was the meaning of the cheer to which the hon. Member referred. Being then before the House, he might, perhaps, be allowed to make one or two observations on certain passages contained in the King's Speech. He was bound to say that he felt anxious to express, with more energy than he could convey by a silent vote, his own individual concurrence in the sentiments expressed by his right hon. Friend the Member for Tamworth last evening, and which met with the approbation of the noble Lord opposite, with respect to the relative position of this country towards France. He might, perhaps, entertain some doubt as to whether it were altogether prudent or politic to lay a stress upon the connexion between the two countries, as compared with those specific relations which, he thanked God, England still maintained with respect to the other powers of Europe. Congratulating ourselves too strongly upon our alliance with France, other nations might, perhaps, be disposed to take umbrage at our expressions, and this, he thought, ought to be avoided. At the same time he was not disposed to criticise or to quarrel with the terms of the Address, because he thought it well that the Ministers of Foreign Powers should know that the continuance of our connexion and alliance with a great and powerful neighbour was one of the main features of our foreign policy. Some separation had of late taken place between France and the very remarkable, and able, and powerful man in whose hands her destinies were at present placed. He (Lord F. Egerton) was not one of those who was disposed to eulogize in themselves some of the measures which had been adopted by the Government of France, but he should be as little inclined, without a full and due reference to all the circumstances in which that Government was placed, to involve its leader in the strong and, as it appeared to him, somewhat indiscreet censure which had been lavished upon him elsewhere, and by those very persons who, he believed, were the loudest advocates for the maintenance of the connexion which at present existed between the two countries. He knew that Louis Philippe was seated on a throne surrounded by bayonets; he knew that his Ministers were taken from among those who were once first in the ranks of periodical literature, and had condemned the very semblance of such measures as had been adopted in France under their own auspices; but he asked those gentlemen who were so zealous for the alliance of that country with England, to pause before they passed an indiscriminate censure upon those measures, and to consider for a moment the circumstances under which they had been resorted to. He did not presume to be sufficiently informed with respect to those circumstances to form a decided judgment upon them; but he had seen something of the main features of the necessity under which they were had recourse to, and at least he could draw this moral from the events that had appeared before him; he could ask gentlemen to consider that if such consequences had grown up from what they would call, and what he did not mean to dispute, was a necessary and more than justifiable revolution in the affairs of France, what could they expect from a revolution not justifiable in itself, nor called for by any exigency in which the country was placed. It was in that point of view he confessed that the measures he alluded to presented to him no obstacle in the further cultivation of those friendly relations which he thought of such importance to our political relations with the Continent. These were no new doctrines of his own—they were the old and acknowledged doctrines of that party to which he belonged, and to which, in more fortunate days, the noble Lord opposite was himself attached; they were the doctrines acted on by Lord Castlereagh in the first Congress after the war, when England entered into an alliance with France and Austria, in opposition to Russia and other Powers of the North. He thought the alliance with France one of the utmost value. With regard to that passage of the Speech which referred to the affairs of Spain, he must say that were he called upon by any distinct motion to concur in those peculiar expressions, which were not at the moment before him, he should feel some difficulty, not in expressing the hope, but in concurring in the expectation that the measures which had been adopted by the Government of this country to afford assistance to the Government of the Queen of Spain, were likely to effect a speedy termination of the sanguinary contest in that country, which every man who heard him, as well as every man in England, must desire to see terminated. It might be that the noble Lord (Palmerston) was in possession of information upon the subject, which was not accessible to ordinary observers; it might be that recent dispatches and recent accounts had furnished the noble Lord with grounds for hope which, as at present informed, he could not himself entertain. But however that might be, he (Lord Francis Egerton) should not so far depart from the rules of practice which he had always observed in that House, as to put any direct question to the noble Lord upon the point, standing as the noble Lord did in the peculiarly delicate situation in which the Minister for Foreign Affairs was always placed. He asked for no information, therefore, which the noble Lord did not think proper, of his own accord, to lay before the House; but there was nothing that he was aware of before the country which could give him or any one reason to suppose that the steps which had been taken by the Government with the view of terminating the war in Spain, had, as yet, succeeded in producing the slightest diminution of the horrors of the contest, or in affording any reasonable hope that within a short period the struggle would be terminated. He should be glad to read his recantation if events should justify him in doing so. He, for one, entertained no wish nor desire to see a Government re-established in Spain which should rest upon the violent Catholic party or upon the Inquisition. But so rash had been the measures of those opposed to that system, and to that policy, that it was impossible for him to look forward with hope or expectation to the period when tranquillity should be restored in a country so distracted and torn by civil convulsion as the Peninsula of Spain. Upon these grounds, because he thought that passage in the Speech from the Throne insincere and untrue, (he did not mean to use the terms offensively to those who drew the Speech), it would certainly have been out of his power, had the matter been brought before him in a separate or more specific form, to have given his assent to it. The opinions which he had expressed with respect to French politics might have some shades of difference from the opinions of those gentlemen who had previously addressed the House upon the subject; they were opinions, however, which he honestly entertained, and which he had not hesitated frankly to declare.

Viscount *Palmerston*: It is not my intention to trespass upon the attention of the House for more than a very few minutes; but, in consequence of the turn which the debate has taken, I am anxious to offer a few words before the report of the Address is agreed to. I must begin by expressing my sincere regret that any hon. Members should have thought it expedient—should have thought it consistent with their sense of duty and with their feelings—to express the opinions they have done with regard to those Members of the House who have so nobly, as I contend, volunteered their services in the cause of the Queen of Spain. I regret that any hon. Members should have expressed opinions which I am convinced are so utterly opposite to those of the great mass of the people of this country, and which are, in my opinion, founded upon so erroneous a view, and so defective a feeling upon the subject to which they relate. I think that the hon. and gallant Member for Westminster, who is now serving at the head of a large body of our countrymen in Spain, deserves well of his country for having undertaken the service in which he is engaged; and I can assure the hon. Member for Sandwich that the hopes, and feelings, and wishes, and prayers of a great portion of the people of this country are embarked in the success of his cause. The hon. Member for Sandwich, feeling, no doubt, and remembering how difficult it is for a man to be a prophet in his own country, and perhaps diffident of his own powers to make himself an exception to the rule, has started to-night as a prophet with respect to Foreign Affairs. He has given us one prophecy with regard to Spain, and another with regard to France. With regard to Spain he has told us—and he pledged his sagacity, his knowledge of human nature, his foresight, and his wisdom, on the accuracy of the prophecy—that the cause of Don Carlos will succeed, and that the 100,000 men who are now in arms, as he tells us, will speedily replace Don Carlos—not replace him, by the by, for he never yet occupied the seat, but will speedily place Don Carlos on the throne of Spain. With regard to France he says, You weak and blind Ministers of England indulge not in idle fancies of friendship cemented between England and France. The friendship which at present exists, so far from being, as we hope, lasting and firm, is destined, he tells us, from the very nature of things—from the deep-rooted feeling of animosity which exists between the two countries, speedily to give way to some dark and monstrous intrigue, which he paid me the compliment to suppose I understood, but which, I confess, I understood not at the time he was speaking, nor have been able to comprehend since. With regard to his opinions on the subject of the French alliance, I am content to leave them to the rebuke which they have received from the admirable speech of the noble Lord (Lord F. Egerton) who sits next him; and I must say it was refreshing to me to hear the sentiments which that noble Lord expressed, in contrast with those which had fallen from the hon. Member for Sandwich. And this is undoubtedly a remarkable circumstance, that amongst the hon. Gentlemen who sit on the opposite side of the House, although generally united to oppose the Government, a great diversity of opinion prevails amongst many of them upon almost every question of foreign policy. There is amongst them, on domestic affairs, almost every shade of opinion, from those who profess to be for every description of Reform to those who say they will make no alteration at all. There is amongst them, on Foreign Affairs, almost every shade of opinion, from those who, like the right hon. Baronet (Sir R. Peel) last night, and my noble Friend this evening, say they wish for an alliance with France—that they think the alliance between the two nations consistent with rhe honour and advantageous to the interests of England, and, founded upon enlightened principles, likely to perpetuate the peace of Europe: there is amongst them every gradation of opinion, from those of these enlightened men, down to those of the hon. Member for Sandwich, who seems to look with aversion even at the slightest contact with our neighbour—who rejoices and delights in our former wars and battles, and who tells us, with an air of prophetic truth, that there are recollections which will ever prevent an union between the two countries. Events will prove whether he is right and whether we are wrong. But at least we have the satisfaction of thinking that in anticipating the growing connection between the two countries, and feeling a conviction that that connexion is founded upon the best principles of human nature, the most enlightened principles of public policy—at least we have the satisfaction of thinking, that in indulging in that anticipation, we have enjoyed a pleasure which I am sure it is impossible for the hon. Member for Sandwich to feel when he anticipates the disastrous separation between the two countries, which is to be the result of the unknown and monstrous intrigue which he has so darkly shadowed out. Now a few words with regard to the Spanish prophecy. The hon. Member gave us to understand that he had in his pocket an accurate return of the strength of Don Carlos's army. It would of course be idle and ridiculous for me to dispute the accuracy of that return. My means of information are not the same as those enjoyed by the hon. Member. Don Carlos may have 100,000 men in arms. The hon. Member tells us he has: therefore it is true, no doubt. It may be true that the great mass of the people of Spain are in favour of Don Carlos. The hon. Member tells us that they are; therefore, there can be no doubt. All I can say is, that if the fact be so—if Don Carlos have a great majority of the people with him, and if he has 100,000 men in arms, it is the strangest thing in the world that he should still be shut up in the mountains of Biscay. How, with the 100,000 men in arms, the whole population of the country in his favour, and the 4,000,000*l*. of money which we hear has lately been raised for him here—how, with all these means of triumph it happens that Don Carlos still remains in the modest retirement of the mountains of Biscay, is really more than I am able to understand. I certainly do share the hope expressed in the Speech from the Throne, that hostilities in Spain will soon be terminated, and that they will terminate the firm establishment of the Government of the Queen. The hon. Member's hopes lie in a different direction, and, as he justly states, it will remain for events to show which of the two hopes are best founded. In the mean while I can assure the hon. Member and the House, that the Government will continue to make every effort in their power to realize the hopes which they entertain. The hon. Member, on the other hand, will, no doubt, continue those oratorical efforts by which he hopes to gain the House over to support his views. Which is most likely to be successful, events will also prove. There is, however one point upon which I really wish to be very clearly understood, especially as other Gentlemen have alluded to it as well as the hon, Member for Sandwich. If there be any man who can believe that Government views with unequal horror and disgust the atrocities which have been committed on both sides in Spain—if there be any one who thinks that we regard with less disgust the atrocities committed by the partisans of the Queen than those committed by the followers of Don Carlos —he does us an atrocious injustice. And the hon. Member for Sandwich is very much mistaken if he thinks that the interference of the British Government has been confined to one side of the question. If the hon. Member has such an impression on his mind, I assure him he is greatly ignorant of what has taken place. We have felt it to be our duty in cases in which we have had reason to believe that these proceedings have been taken on the part of the Queen's troops, to declare our indignation and disgust at them, and to express a hope not only that punishment would be inflicted upon those who were guilty of them, but that active and decisive steps would be taken to prevent a recurrence of them. There was one particular case which took place some months ago, in which it was understood that some prisoners were executed by the Queen's troops. A remonstrance was immediately made on the part of Great Britain, to which the reply of the Queen's Government was, that the report was utterly unfounded, and that no such occurrence as had been represented had taken place. With respect to the correspondence to which the hon. Member adverted, I must certainly admit that I wrote the letter to which he referred. He says I addressed the letter to the newspapers. That is not the fact.

Mr. *Grove Price:* I beg the noble Lord's pardon. I merely said that I had read the letter in the newspaper. I did not say that the noble Lord addressed it to the newspaper.

Viscount *Palmerston:* Well, then, I will only say, that so far from wishing to deny the letter, I fairly tell the hon. Member that I felt great satisfaction in having the opportunity afforded to me of writing it. I think that the application of the Bishop of Leon, addressed to me, came ill from him, and at an ill time. I do not wish to speak harshly of those in whose opinions, sentiments, or feelings, I do not concur; it is a practice I do not follow. I will say nothing, therefore, of the Bishop of Leon, which shall at all contradict what the hon. Member for Sandwich has said in his praise. It happened, however, that but a short period before the letter of the Bishop was addressed to me, the English Government had sent a special mission to the head-quarters of Don Carlos, for the purpose of endeavouring to prevail on him to disavow and retract the bloody edict by which it was declared that all foreigners taken in arms in the service of the Queen should be immediately and barbarously murdered. Don Carlos refused to retract. With his own lips he refused to retract or to disavow that atrocious edict. The officer dispatched by the British Government returned with a positive refusal from the lips of Don Carlos. I say, then, with such an answer recently received from Don Carlos, to have a letter of fulsome praises towards England, reminding us of the services which England had rendered to Spain—of the English blood shed for the cause and in the service of Spain—to have a long letter of that sort written by a person who, whether at present the confidential adviser or agent of Don Carlos or not, was certainly a person much in his councils and confidence whilst he was in this country—I say that to a letter of that kind, written under such circumstances, it did not appear to me that any other answer was requisite than that which I gave to it. But let not the House imagine because I did not accede to the request of the Bishop of Leon, that on that account I took no step in favour of the prisoners. I had in fact interceded a month before. The Bishop's letter was dated on the 10th of October. On the 1st of September I sent out instructions to the proper persons to endeavour, if possible, to obtain the release of the twenty-seven prisoners. Therefore, however well-informed the hon. member for Sandwich may be upon other points, the House will see that he has been wholly misled upon this. And if the hon. Member will only take the trouble to inform himself on both sides of the question, perhaps his anticipations as to the result of the contest in Spain might be materially altered. I say that it is most untrue that the British Government have shown any indifference to the bloody practice which has prevailed on both sides during the war in Spain, and that the hon. Gentleman is entirely mistaken if he supposes we have looked with partiality to the atrocities committed on one side, or not endeavoured by all the means in our power to induce the combatants to conduct their warfare more according to the usages of civilized nations. I believe I have now touched upon all the points to which the hon. Member adverted. I will only add, therefore, that there is nothing in the Speech from the Throne which induces me to regret, as the hon. Member stated he was persuaded I must do, any expressions which fell from me during the last session in consequence of some remarks which he then made. The hon. Member reminded me of having said, on that occasion, that the imputations which he threw out against the Government of the Queen of Spain were, in my opinion, an abuse of the privilege of Parliament. I remember that the hon. Member, on that occasion, insinuated though he did not state, that the officers of the Queen had sent prisoners on board ship, under the pretence of sending them from one port to another, but in fact, for the purpose of drowning them at sea. It was to that insinuation that my observations applied. I certainly did think, and I retain the same opinion still, that it is not a becoming use of the privilege of this House —not a becoming use of that liberty of speech which is the unquestionable right of every member of this House, to throw out insinuations of that kind against the officers or instruments of a foreign nation, unless the party who makes the charge is in possession of such facts as will prove beyond dispute, the authenticity of what he is stating. The hon. Member will see the distinction between what has since happened, and the circumstances to which he then alluded. The massacre at Barcelona was a thing of a totally different description. The authorities acting under the Queen were, I think, grossly criminal for their neglect. I think their apathy was culpable in the highest degree; but I am sure the hon. Member will see a wide difference between that case and the one which was supposed to have taken place, but which nothing that has since come to light has proved to be true.

Lord *Mahon* rose, not for the purpose of taking any part in the debate; another opportunity would, he trusted, be given to him to express his opinion on the subject; but he rose to put a question to the noble Lord, the Secretary for Foreign Affairs. The noble Lord had stated, and he had heard that statement with unmixed pleasure, that the noble Lord had shown such zeal in the cause of humanity as not to confine his application in favour of the prisoners on one side only, but had on the first day of September last, interposed on behalf of the prisoners taken by the Queen of Spain. The question he wished to put to the noble Lord was this. What was the result of that application; and were the lives of those unhappy beings spared?

Viscount *Palmerston:* The noble Lord will well remember that the lives of those prisoners never were in danger. They were taken when the noble Lord himself was in office, on board of an English sloop, which was captured on the coast of Spain; and by the interposition of the then Government of this country, the lives of those persons were saved; but they were kept prisoners. It was in consequence of the convention negotiated by Lord Eliot that a question was raised respecting their detention. Being taken before the convention was entered into, they were not strictly entitled to the benefit of the exchange of prisoners under it. The only question on which any discussion had been raised by the present Government was, not whether the lives of those prisoners should be saved, because their lives had already been guaranteed to the preceding Government; but whether they should be set at liberty by an exchange of an equal number of Christino officers who had been taken prisoners by the troops of Don Carlos. It was to that point alone that the application of the 1st of September was directed. That application was not successful. It was stated in reply that these prisoners were not strictly entitled to the benefit of the convention, and that from peculiar circumstances it was not considered for the interests of the Queen of Spain to send them back to the army of Don Carlos. But I believe that every measure has been taken, not only on the one hand for the security of those officers from escape, but on the other for the prevention of any outrage towards them on the part of the Queen of Spain.

Mr. *Borthwick* expressed his admiration of that part of the noble Lord's (Palmerston's) remarks in which he stated that the praise given in the King's Speech to the vigour and prudence of the Queen's Government was not meant to include the conduct of Mina and other Officers in her service. The noble Lord had asked why, if Don Carlos had such a large military force and such pecuniary resources, he had not been more successful? But the question might be retorted, and it might be asked why, if the cause of the Queen was so firmly fixed in the hearts and affections of the Spanish people, she had not been able to establish her authority over any part of her dominion, or why had it been necessary to send out a large armed force from this country to enable her to establish her authority? Such questions as these would cut at one side as well as the other. It was, he contended, idle to talk of the contest now going on in Spain as any other than a doubtful struggle. What he wished to see fully established was the principle of non-interference, and he would contend that if we departed from that principle we were as much bound to support Charles the 10th on the throne of France, as we were to support the young Queen on that of Spain.

The Report was agreed to, and the Address ordered to be presented to his Majesty, by the whole House on the following day.

HOUSE OF LORDS,

Monday, February 8, 1836.

Minutes.] Petition presented. By the Marquess of Clanricarde, from Westport, for Allowing Bonded Corn to be ground for Exportation.

Houses of Parliament.] Viscount *Duncannon* had to inform their Lordships, that designs for the new Houses of Parliament had been sent in by various architects, and that the Commissioners appointed to examine those designs had made their Report to his Majesty on Thursday last, who had been pleased to confirm it, and had ordered the Commissioners to confer with the architects, in order to have the plans laid before Parliament. Ninety-seven plans had been submitted to the Commissioners, embracing 1,400 drawings. On the 1st of February the Commissioners had finished their Report, having selected four different plans. The first (No. 64) was the work of Mr. C. Barry; the second (No. 14) of Mr. J. C. Buckler; the third (No. 13) of Mr. D. Hamilton, Glasgow; and the fourth (No. 42) of Mr. W. Railton. To the first gentleman was awarded the prize of 1,500*l.*, and prizes of 500*l.* each to the other three gentlemen. He trusted that in the course of two or three weeks Ministers would be enabled to submit a substantive proposition on this subject to both Houses of Parliament. In the mean time he would move for the re-appointment of the Committee to which this subject had been referred last year.

Committee appointed.

His Majesty's Answer to the Address.] The *Lord Chancellor* said, he had been commanded by his Majesty to return the following Answer to their Lordships:—

"I receive with satisfaction the assurances contained in your loyal and dutiful Address.

"It will ever be my study, under the Will of Divine Providence, to maintain the high character of this country among the nations of the world, and to promote the peace and welfare of all classes of my subjects."

Ordered to be printed.

HOUSE OF COMMONS,

Monday, February 8, 1835.

Minutes.] A New Writ was issued for Clonmel, in the room of D. Ronayne, Esq., deceased.

Bills. Read a first time:—Election Expenses; Slave Compensation Act Amendment.

Orange Lodges.] Mr. *Hume*, seeing the noble Viscount, the Secretary-at-War, in his place, wished to put a question to him respecting the members of Orange Lodges. On the 11th of August last the House came to certain Resolutions on the subject of Orange Lodges, and on the 31st of the same month, Lord Hill, as Commander-in-Chief, issued an order peremptorily forbidding the attendance of officers or soldiers at Orange Lodges, wheresoever or by whomsoever held. He (Mr. Hume) wished to know from the noble Viscount, whether that order had been carried into effect as regarded both officers and men either attending or continuing to belong to Orange Lodges, and what measures had been taken for that purpose? He was informed that certain General Officers still continued to belong to Orange Lodges in defiance of such order, and that he had seen a published letter of his Royal Highness the Grand Master of the Orangemen, stating, in reply to an address from them, that he was determined to continue their Grand Master, notwithstanding the order issued by Lord Hill. Now, as they had seen private individuals dismissed from the police in Ireland for belonging to Orange Lodges, he must say, that the Government was bound to deal justly and impartially with the high as well as the low; and, in his opinion, the more elevated the situation of the offender, the more prompt should have been the application of the punishment.

Viscount *Howick* begged to say, it was the intention of his Majesty's Government to see equal and impartial justice done to all; but the order issued by Lord Hill on the subject of Orange Lodges, only applied to officers actually engaged in the service. The House was aware that officers not on full pay were not subject to the provisions of the Mutiny Act, and that they could not be brought to a Court-martial for the infraction of any order issued by the Commander-in-Chief. All officers on full pay came clearly and distinctly within that order, and any such officers who subsequently to the issuing of the order of the 31st of August, continued to belong to, or to take part in the proceedings of any Orange Lodge, were liable to be brought to Court-martial, and dismissed the service. With regard to the Duke of Gordon, he was authorized to state, that as soon as he had seen the order issued by Lord Hill, he immediately signified to the Orange Institution his determination to retire from it. Hitherto, when Orange Lodges had been established in the army, it was generally found that they were composed of private soldiers, who were ignorant, that in so acting, they were guilty of any breach of military discipline. Since, however, the issuing of the order of Lord Hill, effectual measures had been taken to dispel that ignorance, and all officers and soldiers were now aware, that in continuing to belong to Orange Lodges they were guilty of a positive breach of the orders of the Commander-in-Chief, and were liable to be punished in consequence.

Subject dropped.

State of Agriculture.] On the Motion of Lord John Russell, the portion of his Majesty's Speech, relating to the state of Agriculture, was read by the Clerk at the Table, as also the following Resolution of the House, agreed to upon the 24th of April, 1833:—"Resolved, that it is the opinion of this House, that any alteration in the Monetary system of the country which would have the effect of lowering the standard of value, would be highly inexpedient and dangerous."

Lord *John Russell:* I now rise, having called the attention of the House both to the King's Speech and to its own Resolution respecting the Currency, to propose "That a Select Committee be appointed to inquire into the state of agriculture, and into the causes and extent of the distress which exists in some important branches thereof." It has always been my opinion, and it has been the opinion of those most interested in the subject, that when any great branch of our national industry is materially depressed, it is for Parliament, if possible, to devise a remedy. Generally speaking, it has been considered expedient to appoint a Committee, in order to ascertain, in the first instance, as far as possible, the facts of the case. There is then some hope, certainly, that if there be wide differences of opinion at the commencement of such inquiry, although those opinions may not be brought precisely to agree, yet that much of the discordance will be done away—that the distance will be lessened, and that exaggerations prevailing on one side of the subject or on the other may be removed. I think it likewise due to those who complain of distress, that Parliament should endeavour, as far as lies in its power, to devise some means of alleviating that distress. At the same time I am strongly persuaded that there is one remedy that has been proposed for the relief of agriculture which this House ought not to entertain; and I desired the Clerk to read the Resolution of the year 1833, that we might preserve in our minds the recollection of the solemn declaration of this House on the subject of the Currency. I am prepared to say, that although I should think it unadvisable, and in some degree unjust, to the Committee we may appoint, to restrict the Members by any Resolution with respect to the Currency, yet as far as I am concerned, and as far as his Majesty's present Ministers are concerned, no recommendation or decision in favour of tampering with the Currency would induce them to adopt or to further a measure which they would consider neither consistent with the public faith, nor conducive to the public interest. Having said thus much, I am prepared to move for a Committee in the terms I have already stated, which I hope the noble Lord opposite (the Marquess of Chandos) will find sufficiently comprehensive to induce him to forego any intention of moving an Amendment. Undoubtedly it is not my wish to fetter the inquiry of the Committee in any way. I will not enter, because if I were to do so I should be unnecessarily provoking debate, into any discussion of what is the real extent of the difficulties under which agriculture labours, or of the causes to which they are owing. I will but refer to one or two facts which, I think, may be of importance for the attention of the Committee in the course of its investigation. In the first place, I observe that those who complain of agricultural distress, and are immediately engaged in Agriculture, always fix upon this point — viz., the very low price of wheat. Certainly while the price of wheat has been extraordinary low, there has not been an equal fall in the price of other grain. I will compare the price of wheat, barley, and oats now, with the price in 1828, when the last Corn-law was passed. Taking the averages, which are generally correct, wheat has fallen from 60*s.* 5*d.* to 39*s.* 4*d.*, being a reduction of thirty-six per cent; barley has fallen from 32*s.* 10*d.* to 29*s.* 11*d.*, being a reduction of only nine per cent; and oats have fallen from 22*s.* 6*d.* to 22*s.*, being only a reduction of two and a-quarter per cent. While wheat has fallen thirty-six per cent, oats have fallen only two and a-quarter per cent. The farmers are certainly not satisfied with the present price of wheat, and I therefore think it material for the Committee to consider the various alterations in the prices of the different kinds of corn, as well as the other articles of agricultural produce. There is another question to which, although it has been reported upon in the Reports of the Poor-law Commissioners, it is very material that the attention of the Committee should be directed, with the view of watching the effects of the changes now going on in many parts of the country by the enactment of the Poor-law Bill, and the unions which, in compliance with the provisions of that measure, are now forming throughout several parts of the country. I know it to be unquestionably the case, that in some instances a great change has been effected by the passing of this measure. It was only this morning that I met a noble Lord, who is a Member of the other House of Parliament, and who told me that in the Suffolk Union, with which he was acquainted, the rates had already been reduced one-third, and that on the expiration of a year he had no doubt that a reduction of one-half would be effected. In a union with which I am myself acquainted, in the county of Bedford, the reduction in the rates for the quarter ending the 31st December diminished them by one-half, they being lowered from 2,500*l.*, to 1,200*l.* With respect, however, to the working of this law, that is a subject which, on the appointment of an agricultural Committee, should be taken into consideration, and the change which has taken place, and which I believe will turn out to be one of great amelioration, should be carefully observed. With respect to county-rates, a Committee has sat upon this subject, and Reports have been made by it which, though they do not show that every point has been sufficiently examined, yet afford a strong ground for believing that some more effectual check may be devised on the expenditure of the fund, of which it is at present, in many instances, difficult to say, what is the object, and how it may be effectually controlled. There is another subject to which I know many Gentlemen have turned their attention, under the impression that it might be usefully brought under the consideration of this Committee. Of course I do not mean to say, that the Committee should not have the power to consider the question to which I refer, if they should think fit; but I doubt much whether the consideration of the question by the Committee would conduce to any useful object. I believe that the opinion which existed some years ago, and which was very general, both among owners and occupiers of land—namely, that Parliament could by law, fix some price below which corn should not fall, has now been almost entirely relinquished. For my own part, I have never entertained an opinion, that such could be the case, although I always supported some law like the present Corn-law, considering it necessary for the protection of the agricultural interest. But if that question is again to be discussed, the arguments on it are so well known—they are so much arguments of principle—it is better, far better, that the consideration of it should be entered on by the whole House than by any Select Committee. I very much doubt whether the House would show great regard for the recommendations of a Select Committee on such a subject. I think, therefore, that this is a question which it is essential for the Committee to investigate. I must now say, reverting to the opinion which I expressed at the commencement of my observations, that I do not see very clearly any sufficient remedy by which the distress now pressing upon the agricultural class may be removed by Parliament. I wish to hold out no hope which may be afterwards disappointed. I wish, however, that the whole question may be fairly considered by the Committee; and sure I am, that if there be any practical means devised by which the agricultural interest can be benefited, it will be the duty of the House to adopt them. At the same time, I must say again, that I hope, however unfettered the Committee may be, they will not be induced to recommend any measure which would have for its object the alteration of the present state of the currency.

The Marquess of *Chandos* said, the determination of his Majesty's Government to take this subject into their consideration had relieved him from much of the difficulty by which he had felt himself surrounded. He was glad that the noble Lord opposite, and his colleagues in the Administration, had taken this question into their own hands, as he was confident that the knowledge of Government having taken up the question of agricultural distress with a view of dicussing it would produce a beneficial result among the owners and occupiers of the soil. He had himself endeavoured in vain to carry such measures as he thought calculated for the relief of agriculture. He therefore was rejoiced to find that the Government was at last determined to come forward in favour and support of so large a body of his Majesty's subjects. He was glad to hear the noble Lord say, that it was not his intention to fetter the powers of examination given to this Committee. Had not that been the case, his object would have been to move for the appointment of a Select Committee, with full powers of inquiry. Without giving any opinion of his own on the important subject of the Currency, he would say that it would be unfair, in case hon. Gentlemen thought that they could make out a case on that subject, to prevent them from being heard. He would not say whether the Currency was the cause of the present distressed state of agriculture or not; but this he would say, that the time had now arrived when there must be a full and fair inquiry into what was the cause of it, and as the noble Lord opposite had told the House that it was not the intention of his Majesty's Government to fetter the Committee, or to interfere with its investigations, he should not feel it necessary to move any Amendment. He would take the noble Lord and His Majesty's Government at their word, that they would give the Committee every facility, and that they would allow them a fair opportunity to discuss every matter that bore on the present agricultural distress, and on the cause of it. He felt that he was speaking the sentiments of the farmers of England when he said that they hoped that they would be dealt fairly with by his Majesty's Government. The noble Lord had alluded to the present state of the markets, and had observed very justly, that the farmers were dissatisfied with the present price of wheat. That was unquestionably the fact. He frankly owned that he could not come at the cause of the present depression of prices, but he hoped that he might say, without vanity, that that was a reason for sifting into the cause of it. From the numerous agricultural associations which had been recently formed in various parts of the country, the noble Lord opposite must see that the farmers, under the conviction that they had arrived at a pitch of difficulty under which they could no longer go on, had taken up the subject with a determination to have justice done to them. As to the question of the Corn-laws, he would not say a single word upon it. He had never heard any farmer express an inclination to have the present state of the Corn-laws taken as a subject for Parliamentary inquiry. He was however more especially speaking his own sentiments, and he would therefore abstain from dwelling further upon that topic. It would afford great satisfaction to the agriculturists to know that a Committee was appointed to look fairly into the cause of their distress. If, unfortunately, it should turn out that Parliament was unable to benefit that important class,—and certainly that was not his opinion,—still, if such should be the case, the farmers would still be satisfied if their case were fairly inquired into. He would only in conclusion, express a hope that his Majesty's Ministers would, without regard to party or political feeling, appoint such a Committee of country-gentlemen as was calculated to give satisfaction to the country at large. He had put upon paper the names of the gentlemen whom he thought best qualified for sitting upon such a Committee. He should wait with great anxiety to hear the names proposed by the noble Lord, and till he heard those names he should not say a word further on the Question.

Mr. *Clay*, till he saw the Report of this Committee, would not bring forward the Motion respecting the Corn-laws of which he had given notice.

Mr. *Thomas Attwood* rose for the purpose of moving that "it be an instruction to the Committee particularly to inquire into the effect which the Bill of 1819, commonly called Peel's Bill, had produced in causing the present distress of agriculture. The general opinion of the agricultural classes now was, that the whole of their distress was to be attributed to that Bill, and to that Bill alone. The noble Lord, on a former occasion, had told the House that there must be a large reduction of rents; but, if that were so, why should there not be simultaneously a large reduction of dividends? If the landowner were called upon to reduce his rents, the fundowner should be called upon to reduce his dividends. That was only equal justice; for the landowner had as good a right to be protected from wrong as the fundowner. In what a state would the landlords of England be, if, after the thirty per cent. which they had already reduced, they were called upon to make a further reduction of fifty per cent. in their rents? Under the present standard of value, the noble Lord must know that the tenantry must be ruined, unless the landlords were ruined before them. Indeed, one-half of the tenantry were ruined already, and the other half was travelling rapidly on the road to ruin. When the tenantry had reached that destination, the landlords would not be far behind them, and the mortgagees would soon take possession of their estates. The noble Lord, perhaps, thought that things had already come to the worst. That was not the fact. We had fifty per cent. lower to go still. There was not a shilling of rent now obtained that was not obtained through that accursed tampering with the Currency, which had been going on for the last twenty years. He had himself no interest in the land, he was only a friend to his country. He should not lose a shilling if all the farmers in the country were ruined, but, as a loyal subject, so long as he had life he would lift up his voice, against the iniquity of the present system. There had already been delusion upon delusion, and deception upon deception. The industrious classes had been told of over-trading, over-speculation, over-production, and over-population, but nothing had been said of over-ruling. The great misfortune of the people of the country had been that they had been over-ruled. The industrious classes had trusted to that House, and they had been deceived and defrauded, and their capital and the funds of their industry had been taken from them. That House was again about to deceive them—they were preparing them for the butcher's knife again to massacre them. The Currency had been extended by the Branch Banks established by the Bank of England, and by the Joint-stock Banks established by private individuals, in all the large manufacturing towns, but that was not enough. We had not, at present, either a sound, a healthy, or an upright Currency. They all recollected the distress of 1816, of 1819, of 1825, and of 1829. Did they intend, by leaving the Currency in its present state, to bring down another deluge of ruin upon the merchants and manufacturers of the country? There had been previous inquiries on this subject, but they had ended in nothing. The Committee which sat upon agricultural distress in 1833, was one of the most delusive humbugs. Various efforts which he had made to explain his own peculiar notions on the Currency, not only before that Committee, but before several other Committees which had sat on the same subject previously, had all been ineffectual. He hoped the House would let the country return at last to a just Currency, be it of paper or of gold—he hoped that it would without further delay proceed to do justice between the fundholder and the landlord,—between the landlord and the tenant. He protested against the one-eyed inquiry now proposed, and contended that the Committee would be a complete delusion, if his instruction to it were not adopted. He was afraid that the noble Lord would nominate upon that Committee a majority of hon. Gentlemen of his own way of thinking, instead of throwing a net as it were upon the House, and taking the members of the Committee indiscriminately. If that were the case, the Committee would summon before them a host of witnesses to prove that there was nothing rotten in the state of agriculture, and that any little evils which might exist would all be removed by taking off the tax on shepherds' dogs, and by making some alteration in the county-rates. Under such circumstances what chance of relief would the agriculturists have from the Committee? If, however, the noble Lord would let this Committee be drawn fairly from both sides of the House, and if the noble Lord, would allow his Amendment to be carried, he should entertain hopes that better days were about to dawn upon England. He should entertain hopes that there would then be security for the Throne, security for the aristocracy, security for the Church, and security for every class of his Majesty's subjects. The hon. Member concluded by declaring that this subject ought to be fairly investigated, that all its dark sides ought to be turned to the light, which would not be the case unless his Amendment were carried. He moved the instruction to the Committee.

The *Speaker* stated, that it was not competent for the hon. Member to move his instruction to the Committee until the Committee was appointed.

Colonel *Sibthorp* should trust in the declaration of Ministers, that they did not intend to fetter the inquiries of this Committee, until he found them unworthy of his confidence. He, therefore, hoped that the hon. Member for Birmingham, whose clear and manly speeches on this subject both in the Central Agricultural Association and in the House he much admired, would not press his Amendment at present, as it was calculated to mar the object which they all had in view.

Colonel *Thompson* hoped that attention would be paid in the Committee to those landlords who thought the present Corn-laws were at the bottom of all the distress which the agriculturists were now suffering. He had some time since been asked to reduce his rents in Yorkshire; and he had consented to do so on condition that he should be at liberty to raise them twelve months after the laws were repealed prohibiting the importation of foreign corn. The farmers, too, were becoming converts to the opinion that the Corn-laws were injurious to their interests. He was therefore for trying the experiment of repealing them. Let it not be understood from this that he was for rashly repealing them; no, he was for that gradual removal of them which would prevent any injury from being inflicted on existing interests.

Mr. *Cayley* said, that there was a spirit now abroad among the agriculturists, which would not be blinded as to the cause of their situation, or satisfied without inquiry. It was for the House to decide, after a proper investigation, whether relief could be afforded. He assured the noble Lord, that if he constituted the Committee fairly, he would reap, as he would undoubtedly deserve, the gratitude of the country.

Mr. *Heathcote* did not believe that there existed on the part of any great body of agriculturists the slightest desire for a change in the Corn-laws—they had too much corn in the country already, and did not want more. He believed that great difference of opinion prevailed on the subject of agricultural distress, but this was not the time to discuss the question, and he therefore should not state his sentiments upon it. If the inquiry of the Committee were to be enlarged by the introduction of the currency question, it would never come to an end. What the agriculturists wanted was some immediate practical result from the labours of the Committee. It was to be hoped that result would be attained in the way of a reduction of local taxation. He thought his noble Friend had acted so fairly on the present occasion as to be entitled to the support of the House.

Mr. *Thomas Attwood* said, that observing so strong a feeling for unanimity in the House, he would refrain from pressing his Amendment.

Mr. *Roebuck* hoped that the Committee would distinctly define what was meant by the term "agricultural interest," for great confusion had frequently arisen from not understanding clearly the meaning of the expression. According to his idea, the "agricultural interest" comprised three classes—the first and most important of which was the labourers, and he wished that those who were to determine as to agricultural distress would first determine whether there existed increased distress among the agricultural labourers; and if it should happen that the condition of the labouring farming population of England was at present better (as he believed it to be) than it had been for the last twenty years, there was something to be said against the general proposition of agricultural distress. The next important portion of agriculturists were the farmers, who employed capital in the cultivation of land; and he wanted to learn from the Committee whether the application of capital to land was less profitable than its application in any other business; and, if it were, he wished to know what was meant by the term "agricultural distress" as applied to the farmers. The last and least important branch of the agricultural interest—the least important because least numerous and non-productive—were the landlords. He owned that was a proposition not likely to meet much support in the House, still he adhered to the opinion, however disagreeable it might be to those who heard him, that the least important portion of the agricultural interest were the landlords. This portion of the agriculturists, he was willing to allow, were in distress—but why? In consequence of their own conduct, and not from any act of the Government or Legislature—not by means of the law, which specially favoured them, but through their own proceedings. The causes of their distress arose out of habits and times different from the present, when, unhappily for the country, the landlords enjoyed a monopoly of supply, we being cooped up within the four seas. The habits of expense then contracted and continued under different circumstances, together with the large charges upon their estates, had ruined the landlords. Now that we were no longer confined within the four seas, or at war with the whole world, when the great body of the people were better off than formerly, but when the expensive habits of the landowners were destroying them, those persons had no right to call on us for compensation for losses and difficulties which were purely the effect of their own proceedings, and in which the community was not interested. He hoped, therefore, to whatever conclusion the Committee might come, that they would settle whether and how far it referred to the agricultural labourers, the farmers, or the landlords.

Mr. *Benett* belonged to the class of English country gentlemen, and rose to defend them against the allegations of the hon. Member for Bath, who appeared not to know much about their character; if he did, he would not have denounced them as a useless or unimportant body. The country gentlemen had uniformly done their duty; they were loyal to the King and Constitution, and in their capacity of magistrates had rendered important service to the country. He agreed with the hon. Member for Bath that the labouring class, especially the agricultural labourers, were infinitely the most important portion of the community, but he believed he was more intimately cognizant of their condition than the hon. Member, and he could assure him that the agricultural labourers would never prosper unless their employers, the farmers, were also prosperous. With respect to the farmers of England, no manufacturers worked for so small a profit, though the hon. Gentleman appeared to think differently; and the farmers could not prosper unless the country gentlemen prospered also. The three classes, of labourers, farmers, and landowners, were all bound up together, and the hon. Gentleman might add to them the class of dealers in towns, who supplied the agriculturists, and whose prosperity depended upon that of their customers. With these he would also mention, as possessing identical interests, the manufacturers for home consumption. The prosperity or distress of all these classes was closely connected; their interests were mutual. In our love of a showy foreign trade, while dwelling on the importance of our exports, we must not forget the magnitude of our home consumption. But he would not dwell upon the subject, or forestall the business of the Committee. He felt exceedingly obliged to the Government for having proposed the Committee, which he had no doubt would be fairly constituted. He was glad that, unlike the last, the Committee was unrestricted in its inquiry, from which much benefit might be expected. The agriculturists had a right to demand inquiry and relief, if that were possible. All he asked for them was justice, and he doubted not they would obtain it at the hands of the House.

Mr. *Plumptre* agreed with the hon. Member for Bath as to the importance of the labouring classes, but dissented from his assertion that they were not in a state of distress. From his knowledge, he took it on himself to declare the agricultural labourers were at this moment in a state of great distress. Indeed, it was evident, on the slightest consideration, that they must be so, for when the prices of agricultural produce were depressed, it was impossible for the cultivators to employ their full number of labourers, or to afford them a fair remuneration.

Sir *Robert Peel* wished sincerely that he could participate in the expectation entertained by some of his hon. Friends as to the practical advantage to result from the appointment of the Committee. He did not, however, entertain that expectation; his belief was, that when the Committee sent in their report, probably at the close of the Session, the result would prove to be not very different from that of 1833, namely, a strong opinion expressed by the Committee, and as firm a conviction on the part of the House, that legislative interference would not afford the means of relief or prosperity to the agriculturists. At the same time he thought, whenever there was a strong and general feeling subsisting among a particular class admitted to be distressed, that an inquiry into their condition was desirable, and might be advantageous. He thought that, under such circumstances, those who doubted the utility of the investigation were nevertheless bound to consent to it, and thereby obtain the moral advantage to be gained by the inquiry, whatever might be the result. If he thought that the Committee was appointed with a view to promote an alteration in the standard of value, and if he believed that the result would be to alter it, he, for one, would not consent to the proposition. He felt as deep an interest in the prosperity of agriculture as any man—his interest in the question was perhaps stronger than in another—but with this feeling he was assured that the true friend of the agriculturists was not he who flattered them with fallacious expectations, but the man who frankly stated what he believed to be the truth as to their condition and prospects. If the Committee were about to undertake the task of ascertaining the effect produced upon agriculture by the alteration of the currency in 1819, or if it were appointed for the purpose of investigating the various causes of depression to which that interest had been exposed, it was about to enter upon a task which, pursued in the usual manner, would necessarily end in disappointment. If the Committee even took evidence and inquired into various circumstances of agriculture, in widely different parts of the country, with a view of assigning to each particular depression its peculiar cause, it would engage in a task which could not be accomplished by any Committee. To select particular cases of distress and depression from particular parts of the country would be fruitless, and would not prove satisfactory to the rest. At the same time, he admitted, that if a Committee were to be appointed, it was wise not to restrict its powers closely within the limits of a particular subject. But, so far as the interests of agriculture were concerned, he thought they would be best promoted by the Committee addressing itself to practical remedies. Possibly some assistance might be derived from a reduction of the land-tax, a mode of relief not of late rendered available. If the Committee addressed itself to practical subjects, it might obtain the means of administering,. if not extensive relief, at least material alleviation to the agriculturists. As to an inquiry into the causes of the depression of the price of agricultural produce, it could not be attended with any benefit or produce any practical result. They found a depression of prices admitted; he hoped, if the Committee thought it necessary to go into the cause of it, that they would not confine themselves merely to the alteration in the currency, but would also consider the effect of a cessation of war, of a return to peaceful habits and pursuits, and of improved and increased means of production. Cases ought not to be selected from particular portions of the country. If the Committee were going to ascertain the real causes and condition of agricultural distress, they must not take the cases of a heavy soil, where the production of wheat was necessarily expensive, but they must look at the subject as a whole, and not merely look at the condition of agriculture, but at the other interests involved in, and connected with, it. He could not help thinking that he saw in the great prosperity of our trade and manufactures a more encouraging prospect of an improved condition of agriculture than in any other definite cause. However, one thing appeared self-evident—it was clearly as much for the interest of agriculture as for that of commerce and manufacture that we should adhere to the present standard of value. He might here observe, that in common with other Gentlemen, he considered the condition of the labouring classes highly important, but he was surprised to hear the hon. Member who preceded him state that there was no improvement in their circumstances within the last few years. The result of the inquiry made in 1833 was, that though agriculture was not in such a state as could be wished, yet that there had been a material improvement in the condition of the labouring classes as compared with their state in former but recent periods. Gentlemen might entertain a different opinion, but he was only saying that the Committee of 1833 had so reported. There was a universal impression on the part of the Committee that the state of the labouring classes was materially improved. [Mr. *O'Connell*: "In England?"] He meant in England. He agreed with the Committee in this opinion—it was his sincere conviction that the condition of the labouring classes had improved; that they were earning at least an equal money amount of wages as at former periods, and that they possessed a greater command over those commodities which were essential to existence. That consideration afforded him consolation for the pain he felt at the complaints made (some of them not without justice) with respect to the alleged injurious effects of the Currency Bill of 1819. He believed in his conscience it was essential to the national security that the condition of the labouring classes in this country should be improved; and he believed that the first necessary step to that improvement consisted in the selection of some one permanent standard of value. Hardly, therefore, as the measure might bear on some persons, on the labouring classes it had operated favourably, and the paramount advantage of that circumstance in some degree countervailed the pain he experienced at the prejudice which the Bill of 1819 might have caused to other classes. With respect to practical and local measures of relief, it might be worth while to consider whether there was not a possibility of diminishing, in some degree, the amount of payments required from united agricultural parishes, on account of the building of workhouses under the Poor Law Amendment Act. He thought the interest payable for the advances was greater than in other cases where public money was advanced. Here was a practical case, admitting an easy remedy. As the noble Lord found that the security in those and other cases was equal, and that less interest was demanded on advances in other instances, he hoped the noble Lord would consider the subject, and that the appointment of a Committee would not preclude the Government from affording practical relief, for it would be a disadvantage to the agricultural interest if the inquiry to be made into its condition should suspend any favourable intention that might have been entertained towards it. Believing, as he did, that great benefit would result to the agricultural interest from the alteration in the Poor-laws, and having done what he could to enforce the improvement in his own neighbourhood, he nevertheless thought that we must take care not to overrate the future permanent reduction of expense from the circumstance of the Act coming into operation at a time when there was a greatly increased demand for agricultural labour on account of various improvements, including the extension of railroads and other public works. He was not going to say one word against the effect or operation of the Poor-law Amendment Act, but he cautioned Gentlemen not to expect an extensive and continued reduction of expenditure in future, auguring from what had already taken place, to which they ought to bear in mind that other causes had contributed. With respect to the strong language used by the hon. Member for Birmingham, he felt unwilling to enter upon the subject—this was not the time to do so; but he should apprehend that the very precise, close, and practical reasoning of the hon. Member that night must suggest to the Committee that the hon. Member was one of the earliest witnesses to be examined before them. He hoped he might promise the hon. Member that he should be examined more in detail upon facts than on former occasions, and he trusted there would be none of what the hon. Gentleman called, "tomfoolery;" but that he would receive every opportunity of showing that an alteration of the currency was the best cure for agricultural distress. When he recollected the prophecies he had heard from the hon. Gentleman as to the impossibility of maintaining the present standard of value, and continuing to carry on our trade and manufactures in a degree at all proportionate to their ancient prosperity, and looked round him and saw the condition of those great interests, he now might be excused for doubting the hon. Member's present predictions. When he found that it was consistent with the hon. Member's proposed alteration of the currency, nay, a part of his plan, that extensive assistance should be granted by joint-stock banks to persons producing security for the advances he asked, why could not this method be resorted to at present? When the hon. Gentleman admitted that our commerce and manufactures were prosperous, and that their prosperity co-existed with a gold standard, he could not understand why the same standard should be less favourable to another great interest, or why it could not also co-exist with agricultural prosperity. His firm belief was, that the permanent welfare and prosperity of this country, agricultural as well as commercial and manufacturing, were deeply involved in the maintenance of the present fixed monetary standard.

Mr. *Wodehouse* maintained, with every disposition to pay deference to the opinions of the right hon. Baronet, that if the Committee did not extend its inquiries into the state of the currency, it would be quite impossible to recommend any practicable scheme of relief to the distressed agriculturists. He thanked the noble Lord for not having excluded that subject from their consideration, and he earnestly hoped the result would not be found to disappoint the reasonable hopes of a very large and important portion of the community.

The *Speaker* having put the Question,

Lord *John Russell* read the names of the Committee, which he proposed should consist of thirty-three Members, the greater proportion being Members for English counties, four for Scotland, and four for Ireland.

On the Motion of Mr. Cayley, the name of the hon. Member for Whitehaven (Mr. Matthias Attwood) was added to the Committee.

Lord *John Russell* said he should divide the House against the addition of any other names.

The Marquess of Chandos moved that the name of the Earl of Darlington be added to the Committee.

The House divided on the Motion: Ayes 142; Noes 149: Majority 7.

List of the AYES.

Agnew, Sir A.
Alston, R.
Angerstein, J. J.
Archdall, M.
Astley, Sir J.
Attwood, M.
Bagot, Hon. W.
Bailey, J.
Baillie, H.
Barclay, C.
Barneby, J.
Bateson, Sir R.
Beckett, Sir J.
Borthwick, P.
Bradshaw, J.
Bruen, Colonel
Bruen, F.
Bruce, C. C. L.
Brudenell, Lord
Buckingham, J. S.
Butler, Sir J.
Burrell, Sir C.
Campbell, Sir H. P.
Cayley, E.
Chisholm, A.
Churchill, Lord C.
Clerk, Sir G.
Clive, C.
Clive, Hon. R.
Codrington, C. W.
Compton, H. C.
Conolly, Colonel
Corbet, T. G.
Dalbiac, Sir C.
Darlington, Earl of
Dick, Q.
Duncombe, Hon. W.
Duncombe, Hon. A.
Eaton, R. J.
Egerton, Sir P.
Elley, Sir J.
Elves, J. P.
Entwisle, J.
Estcourt, T. G. B.
Ewing, H. D.
Fector, J. M.
Fielden, W.
Fielden, J.
Finn, W. F.
Fleming, J. W.
Forbes, W.
French, W.
Freshfield, W.
Gaskell, J. Milnes
Gillon, W. D.
Gore, P.
Goring, H. D.
Goulburn, Rt. Hon. H.
Goulburn, Sergeant
Greisley, Sir R.
Grimston, Lord
Halford, H.
Hale, R. B.
Halyburton, Hon. J.
Handley, H.
Hardy, J.
Harvey, D. W.
Harland, J. C.
Henniker, Lord
Hay, Sir J.
Herbert, Hon. S.
Hogg, J. W.
Holland, E.
Hope, Hon. J.
Hotham, Lord
Houldsworth, T.
Hoy, J. B.
Ingham, R.
Inglis, Sir R.
Irton, S.
Johnstone, J. H.
Jones, W.
Kearsley, J. H.
Knatchbull, Sir E.
Knight, H. G.
Knightley, Sir C.
Lennard, B.
Longfield, R.
Lowther, Colonel
Lygon, Colonel
Maclean, D.
Manners, Lord C.
Maunsell, J. P.
Mordaunt, Sir J.
Morgan, C.
Neele, J.
Nicholl, J.
O'Brien, W. S.
Palmer, R.
Parry, Colonel
Peel, E.
Pemberton, T.
Perceval, Colonel
Plumptre, J. P.
Pollington, Lord,
Sandon, Viscount
Praed, J. B.
Price, R.
Pringle, A.
Richards, J.
Rickford, W.
Ross, C.
Rushbrooke, R.
Sanderson, R.
Scarlett, Hon. R.
Scott, Sir E.
Scourfield, W. H.
Shaw, Rt. Hon. F.
Sheldon, E.
Sibthorpe, Colonel
Smyth, Sir H.
Somerset, Lord E.
Somerset, Lord G.
Stormont, Viscount
Stuart, Lord
Sturt, H. C.
Trevor, Hon. A.
Tyrell, Sir J.
Twiss, H.
Vere, Sir C.
Verner, Colonel
Verner, Sir H.
Vesey, Hon. T.
Vivian, J. E.
Walpole, Lord
Weyland, R.
Wilbraham, Hon. R.
Wilson, H.
Wodehouse, E.
Yorke, E.
Young, J.
Young, Sir W.
Young, G. F.

TELLERS.

Attwood, T.
Chandos, Lord

Committee appointed.

HIS MAJESTY'S ANSWER TO THE ADDRESS as follows, was reported and ordered to be printed.

"I receive with satisfaction the assurances contained in your loyal and dutiful address.

"It will ever be my study, under the will of Divine Providence, to maintain the high character of this country among the nations of the world, and to promote the peace and welfare of all classes of my subjects."

AMENDMENT OF THE CORPORATIONS ACT.] The *Attorney-General* moved for leave to bring in a Bill to alter and amend the Municipal Corporations Act of last year. He was understood to state, that the Act of last year had worked quite as well as, under all the circumstances, could possibly have been expected. In a measure, however, of so extensive and sweeping a character, it was found that some few Amendments were necessary to render its operation easy and perfect. To effect such Amendments was the object of the Bill which he was now about to move for leave to introduce. In a few instances, as in the cases of Rochester, and Newport in the Isle of Wight, there had been an equality of votes in the election of Town-councillors, so that in fact no Aldermen were returned. In such cases it was proposed for the future to give the casting vote to the senior councillor. Again, where there might be any dispute by the law as it now stood, about the title of the returning officer, it was proposed that the supposed flaw in his title should not vitiate any election where the parties had been chosen *bona fide* by a majority of electors. It was further proposed, that all legal proceedings which had been commenced in consequence of the defects or misunderstanding of the late Bill, should be staid upon payment of costs.

Colonel *Sibthorp* wished that Gentlemen should have sufficient time to consider the Amendments proposed, as he thought it would be in their power, as it was in his power, to point out a few other absurdities in the Bill of last Session, which he regarded as a most imperfect and most dangerous measure.

Mr. *Thomas Attwood* begged to remind the hon. and learned Gentleman of one great defect in the present law, that of withholding from the Town Council the appointment of the Magistrates. The Bill, as originally introduced last year, gave the Council that power. It was a most important political right, and he thought that part of the measure, as it was first brought in, ought to be revived, and certainly this was a very good opportunity for doing so. Another defect was the qualification clause. It was very objectionable, and ought to be abolished. There ought to be no other qualification required to become a Town Councillor than the confidence and good opinion of his fellow-citizens.

Leave given.

REGISTRATION OF VOTERS.] The *Attorney-General* also moved for leave to bring in a Bill for the more effectual Registration of persons entitled to vote in the election of Members to serve in Parliament in England and Wales. The object of the Bill was to simplify the registration of voters by affording facilities to *bonâ fide* claimants. One of the provisions would give the Revising barristers power to mulct persons in costs who should make frivolous opposition to claimants. He would not, however, enter into the details of the Bill, until it were printed and laid before the House.

Leave given.

LIGHT-HOUSES ON THE COAST OF ENGLAND.] Mr. *Hume* rose to move for leave to bring in a Bill for vesting Light-houses on the coast of England in the Trinity-house of Deptford Strond. In 1834, a Committee sat a long time to inquire into the subject of the light-houses of England, Scotland, and Ireland, and made a report thereon. As chairman of that Committee he was instructed to bring in a Bill with a view to consolidate those three important branches under one Board in London. He did so, but the Bill met with considerable opposition. In the first place, his hon. Friend the hon. and learned Member for Dublin, and the Irish Members generally, objected to their light-houses being transferred to the Trinity-house, which was the course recommended by a majority of the Committee. The Members for Scotland also did not think the Trinity-house the most proper Board to place their light-houses under; and he must candidly say, that such was his own opinion. He could wish the subject to be taken up as a Government question, and that there should be a separate Board under which these three great branches should be placed, with a view of establishing one uniform regulation among the whole, instead of their being, as now, conducted under three different sets of regulations. The rate of charge for ships, it was well known, differed greatly in the three countries; and it was most extraordinary that a naval nation like this should have arrived at its present state of greatness without any Government authority having been established for managing and carrying on these light-houses. The consequence was, that a great waste of public money was annually incurred. It was clearly shown to the Committee that a sum of 70,000*l.* was sufficient to maintain all the light-houses of the three countries, and yet no less a sum than 240,000*l.* was annually exacted from the shipping interest in the shape of light-house duties, the difference, therefore, was entirely thrown away. Many members of the Committee agreed with him, that it would be better to place these lights under the management of a public Board; but it was thought by a majority of the Committee, that as a public body was already constituted in the Corporation of the Trinity-house, the first step taken should be to place the light-houses under their control. The House had heard much to-night respecting agricultural distress, and various modes of relief had been suggested. For his part, he was of opinion that the agricultural interest could not be better served than by the reduction of local and general taxation. If the light-house duties were reduced, it would enable the ship-owners to lower their freights, and that must ultimately be beneficial to the agriculturists, by lessening the expense of the transit of landed produce. But the greatest evil he had to complain of was, the private light-houses in the hands of individuals. Leases had been granted by the Crown to individuals, which afforded them the means, he would say, of plundering the public; because the Crown had no more right to grant to my Lord A or my Lord B the power of levying a tax on the commerce of the country, than it had at the present moment to give an order on the Exchequer to any private individual who had not done a single public act to deserve it. He did not mean to complain of the present Administration on this score so much as of former Administrations, which had allowed these leases to be renewed, notwithstanding Mr. Huskisson and Mr. Herries had often declared that they never should be renewed again. The system, however, had gone on year after year, ever since 1823, imposing this unnecessary burthen on the trade of the country. This was the third year since he and his friends had undertaken the charge of remedying this abuse; and the fault of which he impeached the present Government was, that they had not taken the matter into their own hands. What was the Board of Trade for, if not to undertake the management of such matters as this? On one occasion, when the Bill was brought in, he was told that the Government had not made up their minds upon the subject; at another time, that the Crown had an interest in the question. Indeed, no less than 100,000*l.* taken from the shipping interest had already been paid into the hands of Commissioners of Woods and Forests, arising from light-houses, which the Crown ought never to have received. On these grounds, the Bill had, from time to time, been postponed. He remembered, too, that the Chancellor of the Exchequer once told him, that objections were raised on the part of the lessees to the proposed mode of proceeding, and that time was, therefore, required to consider what other mode should be adopted. There was another great objection to the present system, namely, the appropriation of a large sum derived from these light-house duties to the payment of pensions to disabled seamen. There was no objection to a specific fund being provided for such a purpose; but it ought not to be at the expense of the shipping trade of the country. He did not mean to impugn the mode in which the distribution of the money was made; it was only the principle to which he objected. With respect to transferring the superintendence of these light-houses to the Trinity-house, he begged to observe, that that Corporation had already fifty-five lights under its management and control. The amount of revenue yielded, and the expenses for collection and maintenance incurred during the year 1834, stood thus:—

Revenue - - -		£83,000
Expense of collection -	£6,600	
Maintaining the lights in repair - - -	35,900	
		42,500
Leaving a sum of - -		£40,500

beyond what was actually necessary for the maintenance of those fifty-five light-houses. Now, he would contend that that 40,500*l.* if not required for maintaining the lights, or for erecting new lights, ought not to be levied, and, if levied, ought not to be appropriated, without some different superintendence and control from that which at present existed, to the payment of pensions to certain seamen. Then there were fourteen lights in the hands of private individuals, which,

In 1833, yielded a revenue of -		£79,676
Expenses of collection -	£10,000	
Maintaining the lights -	9,354	
		19,354
Thus leaving a surplus of - -		£60,322

to be divided among twelve or thirteen individuals. The object, therefore, of his Bill was to consolidate these private lights under the authority of the Trinity-house, who had the charge of the fifty-five other lights belonging to England, leaving the lights belonging to Ireland and Scotland for the present out of consideration. It might be asked what advantage would be derived from doing this, seeing that the rights of those individuals must be maintained during the period of their leases. In the first place, then, it was his opinion that if the rights of each of those individuals were brought before a Jury of the country, it would be very difficult indeed for the parties to maintain them; therefore he thought it would become a question, fairly and properly, for that House to consider whether those rights should not, as recommended by the Committee, be all subjected to investigation before that tribunal, in order to put an end to any grants of leases that had been improperly or illegally made. At the same time he owned that he looked forward to improvement for the future rather than to derive advantage by pressing on the interests of those connected with the past. It was therefore proposed to give by this Bill a power to the Trinity-house to come to terms with those individuals if possible; but if they should not be able to agree, then it was provided that the question of right should be brought before a Jury of the country. He thought it very likely that arrangements might be amicably effected. He did not wish to throw any slur upon these gentlemen; on the contrary, he was glad to say that he had met with every disposition on their part to do what was right. The result which he expected from the adoption of this plan would be a saving of from 15,000*l.* to 20,000*l.* in the first year; and if a similar plan were adopted with regard to the Irish lights, a very large portion of the 24,000*l.* now paid as mere per centage on the collection of the dues for those lights would also be saved. He would not say anything about the light-houses of Scotland at present, but would leave them to some other time. He understood that this Bill, from some rule of etiquette or other, could not be introduced without first obtaining the sanction of the Crown. Why the people of this country should not be allowed to effect the reduction of a tax without the sanction of the Crown he could not conceive. However, he hoped that that technical difficulty would be obviated by the sanction of the Crown being readily given. If not, he trusted that the Government would themselves undertake to bring in the Bill. He should be happy to transfer the Bill into the hands of the right hon. Gentleman, the President of the Board of Trade; but it must be upon condition that the provisions of the Bill, as recommended by the Committee, were retained. If it should be proposed by the right hon. Gentleman to leave out the Clauses respecting the discontinuance of the pensions to seamen, which were strongly recommended by the Committee, he must decline placing the Bill in his hands, because he (Mr. Hume) should be wrong, as Chairman of that Committee, not to submit that proposition to the House. The hon. Gentleman moved for leave to bring in the Bill.

Mr. *Poulett Thomson* was as much inclined now as he was last year to give the Bill every assistance that he could, consistently with his own opinion upon the subject. But when his hon. Friend charged the Government with neglect of duty for not having taken up the Question, he (Mr. Thomson) really could not understand the ground on which that charge was made, on calling to mind what took place last Session when the matter was before the House. At a late period of that Session a Bill was introduced by his hon. Friend on this subject, which led to a lengthened discussion. Upon an appeal being made to the Government, he (Mr. Thomson) stated, on the part of the Government generally, and of the department to which he more particularly belonged, that he was prepared to give assistance to his hon. Friend as far as he could, differing as he did from him on some points; or if his hon. Friend judged it better, he would himself propose a Bill to the House. He was rather surprised, therefore, when he found his hon. Friend, without the slightest notice to him, come down the first day of the Session, and give notice, of his intention to bring in the present Bill. His hon. Friend certainly had a perfect right to do so, but he had not any right at the same time to charge him or the Government with a neglect of duty for not introducing the measure. But his hon. Friend now said, " I will give over the Bill to you if you will adopt all its provisions." To that proposition he could by no means consent. If his hon. Friend would leave the matter in his hands and allow him to bring in a Bill such as he might approve of, on the responsibility of the Government, he should feel it his duty to undertake that task; but he certainly could not undertake to carry through a Bill, some of the provisions of which he did not approve of. He agreed with his hon. Friend with respect to the merits of the Report of the Committee which sat on the subject of Light-houses; and he would do his hon. Friend the justice to say that it was impossible for any one to pay more attention to the subject than he did, and the Report reflected great credit upon him. He really did his hon. Friend that justice; at the same time it was worthy of remark, that his hon. Friend himself had not followed the recommendations of that Committee. The Committee recommended that one uniform system should be adopted for England, Ireland, and Scotland, and that all the Light-houses of the three Kingdoms should be all placed under the Trinity-house: but his hon. Friend had brought in a Bill for England simply. Again, his hon. Friend proposed to place all the Light-houses in England under the control of the Trinity-house, and yet he was of opinion that another distinct Board ought to have that control. In the first place, then, the Bill in one point was not according to the recommendation of the Committee; and, in the next, although in another it was in accordance with the recommendation of the Committee, yet it was contrary to the opinion of his hon. Friend who brought it in. Another point taken by his hon. Friend, upon which he differed from his hon. Friend, was with respect to the pensions to seamen. He, perhaps, agreed with his hon. Friend in thinking that it was contrary to strict principle to allow a tax of this kind to be levied from the shipping interests of the country for the maintenance of lights, and afterwards to permit the money to be distributed in pensions to distressed seamen. But it was necessary to look at this question in a practical point of view, and not confine it to abstract principles; and when they found that there was not only no complaint made by the shipping interest of this distribution, but, on the contrary, he believed it would be difficult to get up a single petition amongst them against it —and it was the shipping interest, after all, who paid this money, in order that the pensions should not be taken away— he (Mr. Thomson) was not inclined to carry out the general principle to all its consequences. Unless he saw great abuses take place under the distribution of these pensions, he was not at all disposed to meddle with the subject. Here they had parties who were anxious to continue to pay those pensions, and parties who, of course, were also anxious still to receive them. Upon that point, therefore, (and it was the stipulation which he understood his hon. Friend to make as the condition of his handing over the Bill to him), he differed from his hon. Friend, and, therefore, could not consent to take the Bill upon such terms. His hon. Friend had taken notice of a difficulty arising from the necessity of obtaining the consent of the Crown, and asked why should the people be stopped in that way upon a subject of this kind for want of the consent of the Crown. But if the property of the Crown was involved in the question, surely it was but right that the consent of the Crown should be given. He was quite satisfied that no unusual course would be adopted by the Crown on this occasion, and that if the obtaining the object which they all had in view—that of putting the Light-houses on a better system—depended on getting rid of the property of the Crown, he was perfectly sure that the Crown's advisers would not throw any obstacle in the way of an agreement. But an arrangement could not be effected in an instant; there were other parties interested to be consulted. He could assure his hon. Friend that every endeavour would be used to come to a fair arrangement with the individuals who now hold leases under the Crown; and it would then be for the advisers of the Crown to say whether they would consent to this Bill or not. His hon: Friend must permit him to say that the Bill involved arrangements affecting private property to a great extent: and it would be most unfair to legislate at once, and in an offhand manner, with the possessors of it, without consulting with them on the subject. He could assure his hon. Friend the matter was not so very easy to arrange as he supposed. In conclusion, he begged to repeat, that although he could not undertake to manage his hon. Friend's Bill, yet he should be willing to render him every assistance in his power consistently with his own views of the subject, and to obtain for him every facility from the Woods and Forests in the further prosecution of his measure.

Mr. *O'Connell* felt it his duty to state that, whatever inaccuracy existed in the Report on which this Bill was founded, or whatever want of harmony might be apparent between them, the fault did not rest with the hon. Mover, or with the Committee. It was not supposed at the time that Ireland would be included in any alteration which might be proposed as the result of its deliberations, and, therefore, less evidence had been offered in relation to the system on which the light-houses were governed in that country than would otherwise have been. It was, therefore, judged only fair to exclude Ireland from the effect of any legislation affecting its interests on this point, until they had an opportunity of ascertaining the actual state of things there. He felt it a duty to his constituents and to the Ballast Board of Dublin, to whose care this important department was intrusted in Ireland, to state, that they lately effected some considerable additions, and judicious improvements in this branch of the public service, while, at the same time, they had, by good management, been able to relieve the shipping interest of a portion of the charges hitherto paid by vessels availing themselves of the lights on the Irish coast. They had, in fact, at once reduced the duty and increased the accommodation to the public. It might naturally be asked, at what outlay were these benefits effected? What amounts of salaries were paid for this superior species of management? Not one penny. It was all done gratuitously. This was (as far as he knew) the first instance of a Board not regularly paid which did any good. It had effected especial good in the south of Ireland, where formerly not a winter had passed without numerous shipwrecks, yet he was happy to say that for the last eight winters not a single one had occurred, mainly in consequence of the admirable arrangements of the Ballast Board. These were the reasons why Ireland had been excluded from the present attempt at centralization. It did well enough as it was, and it ought to be left so. This was the opinion both of the hon. Mover and himself, and he was sure the House would agree in the propriety of the course pursued in the Bill now brought before them.

Mr. *Robinson* expressed his conviction of the necessity of placing the subject on an improved footing, though he did not think the proposed course an unexceptionable one. His principal object was to diminish the charges not intended to promote the benefit of the shipping of this country. A nation ought to look to the future as well as the present; and on a subject of such avowed importance all vested interests, whether private or regal, should be rendered subservient to the public service. He was happy to hear the President of the Board of Trade had undertaken to forward the great objects of the Bill, in which he (Mr. Robinson) felt a deep concern, and he should esteem it his duty to lend him his best support.

Mr. *George Young* was sorry that the hon. Member for Middlesex had not given the Bill into the hands of Government, and lamented the pertinacity with which he and the hon. Member for Dublin clung to an anomalous system, which, it was avowed, was of no benefit to the individuals who worked it. He called the attention of the House to the fact, that the item of 42,000*l.* per annum, which stood in the account to the credit of the Irish Board of Management, was paid by English shipping instead of Irish, and he must therefore contend that England was called on to legislate for the protection of her maritime interests on Irish shores, and fully justified in insisting on the adoption of a consistent and systematic arrangement for the empire. With respect to the pensions, he believed that the feeling in their favour was almost universal, and no good reason was shown for their discontinuance. He defended the shipping owners from the charges which the hon. Member for Middlesex advanced against them, of apathy and ignorance, contending that they wisely discriminated in all matters of legislation affecting their interests, and only displaying the anxiety and alarm on which he animadverted when unwise and unjust attempts were made to interfere with their earnings by legislative enactments. He hoped that the Bill would pass, shorn of its objectionable clauses.

Mr. *Shaw* declared, that it was exceedingly unjust to include the Ballast Board of Ireland, in the accusations which had been made against inefficient public or private bodies. It was fully established, that the system they pursued had worked well, and was conducted more cheaply, successfully, and satisfactorily than any other, and it would now be the height of injustice to disturb it, on the pretence of bad management or incompetency. He hoped that, under the circumstances, the House would see the inconsistency and unfairness of introducing Ireland into the contemplated arrangement.

Colonel *Parry* was happy to add his testimony in favour of the conduct of the Board of the Trinity House, who were looked up to with gratitude by the poor receivers of its pensions. These trifling annuities were not receivable till the claimant was past seventy; and, it was further stated as a qualification, was not able to beg. Representing, as he did, the interests of six seaports, and of a numerous maritime population, he felt happy in stating his conviction, that his constituents would be quite satisfied with the progress of the Bill under the care, which the President of the Board of Trade had promised to extend to it. He hoped, that Mr. Hume and the Government would agree to carry on the measure with a good understanding, and that the poor individuals dependent on these pensions for their subsistence would not be overlooked.

Viscount *Sandon* would not allow the Irish Members to stand alone in their praise of the Ballast Board, whose merits he was happy to substantiate. He disliked the spirit of monopoly, and would be glad to see each country administering its own proper department of the public service. When a late attempt was made to break up the old establishment of Kilmainham Hospital, he was proud of the opportunity it afforded him of upholding the rights of Ireland, and advocating the consideration which should ever be extended by the Legislature to the feelings of old soldiers in the peaceful sanctuary where they had retired to end their days. He protested against the principles advocated by the hon. Member for Tynemouth, which, if admitted, would let in the interference of all the foreign shipping interests that paid lighthouse toll on the Irish or other coasts, for they must in justice be consulted there. He felt quite satisfied, however, that the Trinity House was competent to conduct the English branch of the service, and he should therefore cheerfully support the Bill.

Mr. *Pease* said, that it appeared to be taken for granted, that the whole amount specified by the hon. Member for Middlesex might be consistently viewed as surplus; but this, he believed, was not the case. The funds so raised by lighthouse dues were properly intended, and liable to be appropriated, to the improvement of coasts which yet needed the aid of the Trinity or some other Board, and the application of these very funds in providing an extension of illumination, and other accompanying measures, for the safety of shipping, completion of harbours, the improvement and repairs of light-houses, &c. If these funds were taken away, the Trinity-house would necessarily be debarred from accomplishing the great national ends which this Bill appeared designed to promote. He thought, that a certain portion of this surplus ought to be annually taken for the improvement of particular portions of the coast *seriatim.* The interests of the State should, above all considerations, be first attended to; its maritime power and wealth should receive every aid and protection, that the judicious outlay of its proper funds on the coast could accomplish; and if any surplus were afterwards found to exist, let it be applied in pensions to the most deserving and destitute. He believed it was a question whether the constitution of the Trinity House was altogether such as the House would wish, but he felt that it would be unworthy of Parliament to circumscribe a fund on which so much depended.

Bill brought in and read a first time.

HOUSE OF LORDS,

Thursday, February 9, 1836.

Promulgation of the Statutes.] Mr. Hume and others from the Commons requested, on behalf of the Commons, a conference on the subject of providing more effectual means for promulgating the Statutes of the Realm.

Their Lordships concurred.

Upon the return of the managers,

The Duke of *Cleveland* informed the

House, that the managers for the House of Commons, had communicated to their Lordships the following resolutions:—

"1. That the Resolution of the House of the 7th May, 1801, be rescinded; and that a new scheme, founded on the principles recommended by the Committee, be adopted.

"2. That the whole number of copies of the Statutes for promulgation be printed of one uniform size.

"3. That the Statutes for promulgation be of the royal octavo size, continuously printed.

"4. That to secure the publicity and preservation of the Statutes for the use of the courts and offices, such copies shall be stamped, '*Promulgated for public use*,' and be accompanied by a distinct notice on each volume, that they belong to the said courts and offices, and are to be solely appropriated for public use."

Resolutions to be printed.

APPOINTMENT OF MAGISTRATES.] The Marquess of *Salisbury* rose to call the attention of their Lordships to a subject upon which it would not be necessary for him to trouble them with many observations; yet it was one of the most important subjects that could possibly come under their consideration. Their Lordships were aware that for many years the manner of appointing Magistrates to the Commission of the Peace in counties had been exclusively through the recommendation of the Lord-lieutenants for such counties respectively. He had taken some pains to ascertain whether any instance could be found of such a proceeding being adopted as to insert the names of any gentlemen in the Commission without reference first to the Lord-lieutenant, or without his concurrence. He believed the Lord Chancellor, or the Commissioners holding the Great Seal, had always made it a rule never to appoint a magistrate without the full consent and concurrence of the Lord-lieutenant. In 1829, a case occurred in which a name that had been in a former list was omitted, and on the restoration of that name it was thought necessary that the Lord Chancellor should explain why he had replaced it in the Commission. The explanation was, that the name of the gentleman appointed had been inserted in a former list, as recommended by the Lord-lieutenant, and that it was not expedient, without reason assigned, to exclude it from the new list. He mentioned this case solely for the purpose of showing with what jealousy the right of the Lord-lieutenants in this respect was guarded—so much so, that upon a departure from the practice in a single instance, it was deemed prudent to make a public explanation of the motives. He had made diligent search to ascertain whether, during the time of the last three Lord Chancellors, the practice had been maintained uniformly, with the exception he had named, and he had found that it had been so maintained. Having thus explained, or rather reminded their Lordships of the almost invariable practice, he would now call their attention to a signal and dangerous departure from that practice in the course of last year. During that time the Great Seal was in the hands of Commissioners. He was not aware whether any Lord-lieutenant had thought it advisable to recommend any gentleman for the Commission of the Peace; but that of which he complained was, that the noble Lord, the Secretary of State for the Home Department, in concert, no doubt, with his colleagues, had recommended many Gentlemen to be put into the Commission of the Peace without the concurrence of the Lord-lieutenants, and which had been accordingly inserted by the authority of the Great Seal. He need not point out how much this proceeding was at variance with the established practice, and how much it bore on the face of it the appearance of a party manœuvre for the purpose of placing political partisans in the Commission of the Peace. He did not mean to bring so heavy a charge against the noble Secretary of State for the Home Department; but it was the duty of that House to look at such proceedings with jealousy, and without respect to persons; and it was impossible not to understand that if the practice once became established as a precedent, Secretaries of State might be hereafter found ready to sacrifice their sense of duty to the love of place or of party. As he understood that the motion would not be resisted by the noble Viscount at the head of his Majesty's Government, he would not enter into further details at present. If it should appear that the power thus assumed had been exercised to any great extent, or that any undue appointments had been made, then it would become a question how far it might not be the duty of that House to proceed further in the matter. Every person would admit the danger of taking away the responsibility of appointing the Magistrates from the Lord-lieutenants of counties, and placing it in the hands of individuals who had not the means of knowing the characters of the persons to be appointed. The Secretary of State for the time being could not have that local knowledge which was necessary to direct his choice properly. He should conclude by moving for a return of the names and residences of the gentlemen who had been appointed to the Commission of the Peace in the different counties of England and Wales, on the recommendation of the Secretaries of State, and without the application of the *custos rotulorum*, from the 1st of January, 1835, down to the latest period.

The Marquess of *Westminster* had but a few observations to make upon the Motion of his noble Friend. His noble Friend had laid as a foundation for his Motion, the possibility, indeed the more than possibility, of a Secretary of State being influenced by party motives in the recommendation of a gentleman for the Commission of the Peace. Now, he only wished to put it to his noble Friend's candour and judgment to say, whether it was not also just as possible, that Lord-lieutenants might in some cases be influenced by party motives. He wished to know, whether his noble Friend considered that those functionaries were entirely removed from every suspicion of possible bias, and that Secretaries of State were the only persons liable to the imputation?

Viscount *Melbourne* did not mean to object to the Motion of his noble Friend, who had very correctly stated the course that had been pursued by the Secretary of State for the Home Department, excepting in one respect. His noble Friend had led the House to suppose, that persons had been recommended to the Great Seal for insertion in the Commission of the Peace, without application to the Lord-lieutenant of the particular county for which such application had been made. This was not the case. His noble Friend, the Secretary of State for the Home Department had always first submitted the names to the Lord-lieutenant in order to ascertain his reasons for opposing or objecting; and in some cases only where the Lord-lieutenant had declined giving his recommendation, his noble Friend not concurring in the reasons given, had recommended the individual to the Commissioners of the Great Seal, who had acted upon such recommendation. Whether that course was or was not a wise and prudent one, under the circumstances, was a question for the consideration of their Lordships; and whether the persons so appointed were fit or unfit for the station to which in his discretion his noble Friend had advised their advancement, it would be for their Lordships to determine when the names came before them. For his own part, he could not be accused of inconsistency in upholding the conduct of his noble Friend; for he had always publicly contended that the practice of leaving the appointments of Magistrates in the hands of Lord-lieutenants was a practice subject to great abuse. This had always been his opinion, and he had never concealed it. He did not affirm that the mode adopted by his noble Friend was the best remedy that could be devised; but some remedy he was convinced was necessary. His noble Friend had exercised his imagination in supposing the case that a Secretary of State might use his power in the recommendation of Magistrates for party purposes, he would draw upon the same poetical faculty for the picture of a Lord-lieutenant deeply involved in party politics, deeply engaged in election contests, and, perhaps, anxious to befriend one of the candidates for the representation of the county, naturally, under such circumstances, anxious to secure partisans of local weight and influence; and he would ask his noble Friend whether such a Lord-lieutenant would not be just as liable to a bias in the appointment of persons to the Commission of the Peace as any gentleman in the situation of his Majesty's Secretary of State. He had no objection to the production of the Return moved for by his noble Friend, with the names of the Gentlemen recommended to the Commissioners of the Great Seal during the last year.

The *Lord Chancellor*—I do not rise, my Lords, to oppose the Motion of the noble Marquess, but to make a few observations, that my silence may not be mistaken for acquiescence in the doctrines which the noble Marquess has promulgated. The noble Marquess says, that the responsibility of the appointment of Magistrates is in the Lord-lieutenants of counties. [" The Marquess of *Salisbury*: No."] I so understood the noble Marquess. Now, my Lords, by the constitution of this country, this responsibility rests with the Great Seal. It is undoubtedly the duty of the Great Seal, in the discharge of this portion of the functions annexed to it, to seek information wherever information is to be obtained. It is therefore its duty to listen to the Lord-lieutenants of counties in making appointments, because of their local knowledge and general good information. But it is not the duty of the holder of the Great Seal to listen exclusively to those functionaries; and I have been more and more satisfied, from the experience I have had since my connection with the Great Seal, that if information should be drawn from such sources exclusively, without seeking elsewhere, great injury would be done to the public service. It may not be known that in some counties there are rules for the exclusion of particular classes and descriptions of persons from the Commission of the Peace, which rules do not obtain in other counties. Thus, were there not a discretion in the Great Seal, sometimes exercised in opposition to the recommendation of the Lord-lieutenant, there would be no uniformity of practice in the kingdom. So long as I have been connected with the Great Seal, I have exercised the right of appointment without submitting myself to the exclusive direction of the Lord-lieutenants; but, at the same time, in no instance without having communicated with them and heard their reasons; and if, after hearing the grounds of objection, I still entertained the opinion that the individual was calculated to discharge the functions of a Magistrate efficiently, I should have departed from my duty if I had not inserted his name in the Commission of the Peace. This discretion, I am quite ready to admit, should be used delicately and sparingly, but it should not be surrendered. With respect to the appointments of last year, I believe that in no case was an appointment made by the Commissioners of the Great Seal without the attention of the Lord-lieutenant being first called to such appointment. There may have been instances in which appointments were made against the recommendation of the Lord-lieutenant, but none in which his opinion was not sought.

Lord *Wharncliffe* observed that the question was not whether the Great Seal had the discretion claimed for it by the noble and learned Lord on the Woolsack, but whether the Secretary of State was the fit channel for the recommendation of Magistrates to the Great Seal.

The Marquess of *Lansdowne* said, that the Secretary of State for the Home Department had not taken upon himself the pwer of appointing Magistrates. He had only taken upon himself, as any other person might, to recommend gentlemen of whose competency to discharge the magisterial functions he was enabled by his station to obtain an accurate knowledge. Upon the recommendation founded upon such knowledge, the Great Seal was left to judge for itself. The Secretary of State for the Home Department possessed, as their Lordships must well know, peculiar sources of information, not attainable by any other functionary. Their Lordships had heard that different rules obtained in different counties as to the persons eligible to the Commission of the Peace. This was particularly illustrated by the supposed expediency or inexpediency of appointing clergymen, according to the county. In some counties it was absolutely necessary to appoint clergymen on account of the scarcity of persons qualified for the magisterial station. But where the means existed of carrying on those functions without calling the clergy in aid, it was deemed advisable to exclude them. Now this was precisely the information that would fall under the notice of the Secretary of State for the Home Department, who would be able to determine where the rule of exclusion was a good one and where not. Undoubtedly, it had been the custom for Lord-lieutenants to nominate persons for the Commission of the Peace, and it was generally considered as their exclusive right. The responsibility, however, did not rest with them alone, but with the Great Seal; and it was open to the Secretary of State for the Home Department from time to time to make such observations and recommendations as he should think proper.

The Duke of *Cleveland* stated, that within his recollection, the *custos rotulorum* of the county of Durham omitted the names of two gentlemen from the list sent by him to the Lord Chancellor, without giving any public reason for the omission. The gentlemen felt themselves aggrieved by the proceeding, and applied to the magistrates and gentry of the county to know what steps they should pursue. What course they took he did not know; but, upon a representation made to the Lord Chancellor, the two gentlemen were reinstated in the Commission of the Peace. This was done, notwithstanding the omission of their names by the *custos rotulorum*, and it was done by Lord Eldon.

Lord *Plunkett* observed that the practice in Ireland was in the first instance to apply to the Lord-lieutenant of the county; but he (Lord Plunkett) had on some occasions felt it his duty to put into the Commission of the Peace gentlemen who had been objected to by the Lord-lieutenants; and in other cases not to act upon the recommendation of that functionary. Had he been exclusively guided by the Lord-lieutenants, so as in all cases to have adopted their recommendations, he should have been guilty of a violation of his sworn duty. He admitted, however, that he had generally found the Lord-lieutenants of counties in Ireland actuated by the most praiseworthy motives in their recommendations of individuals. Although he had not in all cases concurred in their judgment, he did not mean to cast any imputation upon them.

The Marquess of *Salisbury* remarked, that in the case of the two Gentlemen of the county of Durham, there was a great distinction between omitting names from a list, and at once naming persons for appointment. He had been exceedingly unfortunate if he had been understood to have questioned in the smallest degree the right or responsibility of the Lord Chancellor in the appointments to the Commission of the Peace. What he had complained of was, that the Secretary of State should usurp the power of the Lord Chancellor, and carry those powers to a greater extent than they had ever been carried by any Lord Chancellor, and that at a moment when there was no individual upon whom to fix the responsibility of the Great Seal.

Motion agreed to.

THE NEW POOR LAW.] Lord *Ashburton* presented a Petition from a Union of Parishes in Wiltshire, under the Poor-law Amendment Act, relative to the expense of building a Workhouse for the Union. The introduction of that measure he believed had been very generally beneficial throughout the country. In some parishes there had been a reduction to the extent of a third or a-half in the rates. In others, the condition of the labouring poor had been much improved by the regulations under the Act; but the rates had not been sensibly reduced. The hardship complained of by the petitioners seemed to him one which called for the interference of the Legislature. It was prescribed by the Act, that in those districts where new poor-houses were erected, the cost of building them should be paid off by the tenantry in ten years. The petitioners represented that many of them had but short terms of their possessions, and that they would thus be called upon to pay for advantages which would be left to others who would pay nothing for the building erected at the expense of the present race of occupiers to enjoy. When it was considered that the class upon whom this burden would fall were the farming tenantry of the country, already in a condition sufficiently distressed, the House, he was sure, would feel that the representations of the petitioners were entitled to attention. In the union to which the petitioners referred, the poor-house had cost 6,000*l.* an amount equal to one rate of the whole union. He certainly was disposed to think that the landlord ought to bear a portion of this charge. The petitioners also complained upon another point. It was provided by the Act that the interest upon the Exchequer Bills advanced to defray the present cost of such erections should be at the rate of five per cent. Now, when interest of money in the country generally was between two and three per cent., why the farmers should be charged five per cent. he could not understand. Five per cent. was a rate of interest now wholly unknown in every part of the country.

Viscount *Melbourne* said, it gave him great satisfaction to hear from such a source testimony of the beneficial working of the New Poor-law Act. That Act formed, in the history of legislation of late years, one bright spot, unsullied by the recollection of party feeling. It was introduced into Parliament without any admixture of party-feeling; received, discussed, and passed in the same spirit; the appointments under it were made with the same feeling; and, finally, its provisions were carried into execution throughout the country by persons imbued with adverse sentiments upon politics, but acting harmoniously together for the purpose of giving full and beneficial effect to the principles of that measure. Unquestionably both the points adverted to by the noble Lord were entitled to the most serious consideration. The first was certainly in no respect entirely new: it had often been stated before, and it appeared to him (Viscount Melbourne), although he was not immediately prepared with all the reasonings on the subject, to be questionable whether some relief ought not to be afforded in either one or other of the manners proposed by the noble Lord. With regard to the second point it certainly did appear to him strange how so very high a rate of interest should have been appointed. This was a point which his noble Friend might depend should receive the anxious consideration of Government.

Petition laid on the Table.

HOUSE OF COMMONS,

Tuesday, February 9, 1836.

MINUTES.] Bills. Read a first time:—Turnpike Acts' Consolidation; Stafford Disfranchisement; Registration of Voters; Final Registration of Electors; and Dean Forest.
Petitions presented. By Mr. HUTT, from Hull, for a Revision of the Timber Duties.—By Mr. HALFORD, from Leicestershire, for an Inquiry into Agricultural Distress.—By Captain PECHELL, from Licensed Victuallers at Brighton, praying Relief.

COMMUTATION OF TITHES — ENGLAND.] Lord *John Russell* rose, with great anxiety for the purpose of moving for leave to bring in a Bill for the Commutation of Tithes in England and Wales. The first source of that anxiety was the very great difficulty of the question, a difficulty which he had shown that he did not underrate when he stated, on the formation of the present Administration, that it was his opinion that it was not possible for it to frame a measure comprehending the various provisions necessary upon this important subject unless the whole question which it involved were previously referred to a Select Committee. The right hon. Gentleman opposite, the Member for Tamworth, had stated an opinion of an opposite kind. The right hon. Baronet said, that whatever might be the plan which Government might think best to propose, it would be far better—and, indeed, he thought it the duty of Government—to frame such a plan, and to propose it to the House, than to leave a question of this magnitude open to the consideration of the Committee, without any plan before them, and without any chart or compass to guide them. On reflection and communication with his colleagues, it had appeared to them that the country had undoubtedly a right to expect that the Government should propose some plan on this subject. Another source of great anxiety to him, in proposing such a plan, was the very great importance of which the settlement of this question would be to the agricultural interest, and likewise to the permanent interests of the Church. Another source of doubt and anxiety was, that various plans had been submitted to Parliament in the course of a very few years. Although none of those plans could be said absolutely to have failed, yet for one reason or another, either from the urgency of other questions, or from the state of the public mind when they were brought forward, or else from the dissatisfaction expressed from various parts of the country, none of them had been proceeded with to a completion, or fairly discussed within the walls of Parliament. Indeed, there were two Bills on this subject, proposed by the Archbishop of Canterbury in the other House of Parliament, which had never come to a discussion in that House, at least not to such a discussion as their importance demanded. There were also two Bills proposed by Lord Althorp, when Chancellor of the Exchequer, and another Bill opened last year by the right hon. Gentleman opposite, which, he believed, had neither been brought in nor printed. One of his difficulties then arose from the circumstance of so many Gentlemen on both sides of the House having proposed different plans, which had never been proceeded with, but which existed at present for the mere purpose of forming objects of comparison with any plan which might hereafter be propounded. But, whatever might be his difficulties, whatever reasons he might entertain for the hesitation under which he laboured, he felt that this was a question on which, at the present moment, it was incumbent upon Parliament to come to some decision. He founded that opinion, not on the abstract objections which existed against tithes, for those objections had been pointed out more than half a century ago by men who had investigated the subject. Tithe was now, as it was then, a discouragement to industry—a penalty on skill, a heavy mulct on those who expended the most capital and displayed the greatest skill in the cultivation of the land. Tithe was now, as it was then, a manner of payment involving very great evils, forcing the clergy to forbearance at the expense of what they deemed to be their rights, or leading them to enforce those rights at the expense of the influence which they ought to possess with their parishioners, compelling them to lose either their income by their indulgence, or their popularity by, he would not say, the exaction of what the law gave them for the support of themselves and their families. These were not the objections which influenced him, because, as he had already stated, they were as well known half a century ago as they were now. These were not the objections which, in his opinion, made it so necessary for Parliament to come to an immediate decision on this subject. The reasons for that necessity were to be found, he thought, in the growing discontent of the Members of the agricultural interest and of the tithe-payers at this mode of payment, and in the universal disposition of the clergy to say, as they had said in their communications with the Crown, that if any fair mode of commutation could be devised, no set of men would be more glad than they should be to get rid of this objectionable payment. The present state of this country, and he might add of Europe generally, showed that the objections to tithe were felt so strongly, that men were becoming every day more and more unwilling to pay what was legally due, and more and more anxious to see these payments altogether cease. He could not give the House a better proof of this than by informing it, that in Austria—where there was no press, stamped or unstamped, where there was no representative assembly—where there were no popular meetings—the farmers, as he was told, hardly wished for a commutation of tithe, but hoped, by what the hon. and learned Member for Dublin called peaceful agitation, to get rid of tithe altogether. If such were the case in a country like Austria, where there was so little political excitement and dissatisfaction, it was certainly the duty of Government in this country, where meetings were held every day of persons interested in the subject, to endeavour to come to a settlement of it, before it found one side or the other making demands so unreasonable as to render it impossible for Parliament at once to do justice and to give satisfaction. Having made these preliminary remarks, he would proceed to explain what he thought were the principles on which a settlement might be made. There were obviously two parts of the subject—one embraced the principles on which it was proposed to make the commutation; and the other the machinery by which it was intended to carry the commutation into effect. It was evident, that though the principle were the best possible, the machinery might be bad and imperfect, and in that case no reasonable man could hope for a beneficial result. On the other hand, if the principle were not sound, the most perfect machinery would not have the effect of making it either better or more capable of producing peace and satisfaction. He would at once state that the machinery which the Government proposed to adopt was the machinery proposed by the right hon. Member for Tamworth in his Bill of last year, whereby it was provided that there should be a Central Board of Commissioners, consisting of three persons, for the purpose of arranging the question of commutation, of whom two should be appointed by the Crown, and one by the Archbishop of Canterbury. The Government proposed that this Board should have power to appoint Assistant-Commissioners to a certain extent and in certain cases, just as the Poor-law Commissioners had. Adopting the machinery recommended by the right hon. Baronet, he need not enter further into that part of the subject; but would proceed to state the principles which had been laid down as the basis of commutation at different periods, and the objections which had been respectively urged against them. The first principle to which he should advert, was that of taking the amount of the gross value of tithes in every parish, and of giving the owners of land the power of redeeming it from tithes on a scale formed upon the average value of tithe throughout the kingdom. But although that plan was simple, he agreed with the right hon. Member for Tamworth in thinking that it was hardly practicable, There were many parts of the country in which tithe was levied in kind—there were some parts in which the composition for tithe was high, and there were also other parts in which it was exceedingly low. In the latter districts, those who paid a low rate of composition would object to any increase in their payments. They would say, that so far from intending to pay an increased amount, they expected to have a diminution in the payment which they had been accustomed to make; so that if a plan of that kind were adopted, it was quite evident that it would produce dissatisfaction. Government would not be able to carry the Bill satisfactorily through Parliament, and even if it were carried through Parliament, it would throw a germ of dissatisfaction against the tithe-owners in every parish throughout England. There was another principle contained in the first Tithe Bill of Lord Althorp, to which he would briefly call the attention of the House—that was the principle of taking the payment for tithes universally for the last seven years, and commuting the tithes upon that valuation. There was this objection to that principle, that it gave to those incumbents who had been the most severe in the exaction of their tithes the full amount of what they had received, whilst it would prevent those who had been lenient and indulgent towards the tithe-payers from receiving that augmentation to their income to which they were fully entitled. A gentleman who had paid great attention to this subject had proposed that there should be an account taken of the amount paid for tithe during seven years, that this amount should be spread over the whole country, and that then a general average should be struck for each parish. But he could not help seeing, that if this principle were adopted, it would change the income of every tithe-owner in the country—that it would occasion a great disturbance of interests,—and that, though it might be an equitable arrangement for the future, it would not be becoming in a country like this to produce such a general disturbance. He came now to another principle—he meant that which had been promulgated in Lord Althorp's second Tithe Bill. That principle was, to take the amount of tithe paid in each parish in certain counties, to strike an average for them all, and then to make the amount of tithe bear a fixed proportion to the rent of the land in each parish, instead of being dependent, as it was at present, upon the produce of the land. He confessed that he was taken with the notion of making tithe bear a fixed proportion to the rent, because, at first sight, it seemed unfair and unequal to calculate tithe upon the produce. But, on considering the propriety, the wisdom, and the justice of making that change at present, he had been struck with one difficulty, which he could not overcome, and that was, that there would be no justice in converting the payment calculated on the proportion to the produce which a man by law was obliged to make, into a payment calculated on the proportion to the rent, which by law he was not obliged to pay, and which he had even not contracted to pay. That had been proposed by a noble Lord in another place, who had fortified his argument by saying, that lands paying the same rent ought all to be put into the same scale. There was, however, an objection to that position, as would be seen by considering the case of two farms paying equal rents, owing to one of them requiring great expense in cultivation, and to the other being, comparatively speaking, non-productive. On these two farms paying the same rent you now had a different amount of tithe payable, for, though the rent was the same, the produce was different, and that farm which produced the larger produce paid in consequence the larger amount of tithe. Now, if you make the tithe dependent on the rent, you are doing an evident injustice to him who is now paying the smaller amount of tithe owing to the smaller amount of his produce. He did not know with what face they could say to that man, "You now pay less, and your neighbour pays more, but we will make an average between you; you shall no longer pay in proportion to your produce, you shall pay in proportion to your rent, although you did not contract to do so, and although the change will throw a heavier burthen upon you." For his own part, he must say, that as such a change could not be reconciled with justice, it ought not to be made unless under the pressure of the most urgent necessity. He recollected that the right hon. Gentleman opposite, last year, after considering the difficulties which surrounded all these various plans, had stated that he was inclined, as the only solution of them, to adopt the principle of a voluntary commutation. He (Lord J. Russell) took the liberty of stating at that time, that he did not consider that principle satisfactory; and his reason for making that statement was his conviction, that in a great number of instances, where the exaction of tithe had been most oppressive, no voluntary commutation would take place, and thus the old sores would remain, and be the cause of much ill feeling in future. It was open to the House, if they thought that any one of the plans to which he had just been adverting, either that of Lord Althorp or that of the right hon. Member for Tamworth, was better than that which he was then about to propose,—it was open to the House, he said, to take that plan in preference to his; for he wished that the subject of tithe should undergo a thorough sifting, and that the House should make up its mind to pass the best Bill it could frame on the subject in the course of the present Session. Having now described the plans which had been formerly proposed for the commutation of tithes, and having pointed out the principal objections to them, he should proceed, in the next place to explain the principles on which his own Bill was based. He would say generally, that the object of his Bill was, to produce just as little disturbance as possible in existing interests. His object was not to diminish violently or excessively any income now enjoyed by any tithe-owner; it would nevertheless be his constant endeavour, when this question was arranged, and the different parishes had come to a settlement, to produce, if possible, that similarity in the settlement which would prevent one parish from saying, as was too commonly said in Ireland, that its settlement had been made on premises so different from those taken in the case of its neighbour, that its payment was half as much more as that neighbour's was. His object was, that throughout England and Wales there should be in the mode of calculating and valuing tithe some uniformity. By the present system it was notorious that some parishes paid an amount of tithe considerably higher than that paid in the adjoining parishes. His object would be to get rid, as far as it was practicable, of the inequalities of the existing system. He proposed, then, having got the machinery, which he had already mentioned, having established a Board of three Commissioners, one of whom was to be the representative of the clergy—he proposed, he said, as the right hon. Member for Tamworth had proposed, that any single owner of land or the tenant, might agree, with the tithe-owner, to commute the tithe, they being all mutually interested in the commutation. He proposed, as Lord Althorp proposed, that the owner of the land having made an agreement with the tithe-owner, should stand to the tenant, not only in the situation of the landlord, but also in that of the tithe-owner. He proposed, further, that it should be competent for the possessor or possessors of one-fourth of the value of the tithes to call a meeting of the owners of land in the parish, at which parties might be represented as they now were in the Poor Law Act. When three-fourths in value of the owners of tithes agreed with three-fourths in value of the owners of land, there would be power given to them to make an agreement binding on the whole parish. If no person appealed against that agreement within a given period, it would become an agreement binding on the whole parish. If any person appealed against it, it should still be binding upon those who did not appeal. The parties appealing would have to appear before the Assistant-Commissioners, who, on hearing their statements, would make an award, which award, on being ratified by the central Board, would also become binding on the parish. He proposed that if at the end of a certain period—he did not intend to confine the House to time in the Bill he should say six months—no such agreement were made between the tithe-owners and the tithe-payers, it should be competent for any land-owner or any tithe-owner, to ask the Commissioners to make a general award on the tithes of the parish. He proposed that when such a demand was made, an Assistant-Commissioner should be authorized to proceed to the parish, and to examine what had been the amount of tithes, or of the composition for tithes, and what had been the expense of collecting the tithes for the last seven years; that he should then and there declare the amount of tithes so paid for the last seven years, and that that amount should be represented, as he would hereafter explain, by a certain quantity of wheat, barley, and oats. He did not, however, intend to propose that this declaration should be binding conclusively, either on the tithe-owner or on the land-owner. He thought it advisable to avoid that which would produce exorbitancy on the one hand, and a ruinous diminution of the income of the clergyman on the other. He therefore proposed, in case any person should appeal, on the ground that the amount fixed for the tithes, or the composition for tithes, did not fairly represent the value of the tithes, that the Assistant-Commissioner should make an estimate of the value of the tithes for the seven years previous, and that he should ascertain the actual gross value of them for that period. If it should appear that the sum of the tithes taken in any parish during a period of seven years exceeded seventy-five per cent of the gross value, then it would be competent to the Commissioners to determine that the commutation should amount to seventy-five per cent of the gross value and no more, and they would reduce the sum accordingly; but, if on the contrary, it appeared that the amount taken was less than sixty per cent. of the gross value of the tithe, the commissioners would be authorized to raise the sum to sixty per cent., and to declare that that should be the amount of the future charge. He referred to these numbers of seventy-five and sixty per cent. as a maximum and minimum, not as the sums fixed to be absolutely paid, for the question was open to Parliament to consider and decide, but because they served for the purpose of illustrating the principle on which he proposed to proceed. That principle was, that in no case should the amount of charge for tithe exceed a certain per centage of the gross value of the averages of a certain fixed period, nor fall below a certain per centage. It would occur to every person who was at all conversant with the subject, that many instances would be found on either side of the scale—cases both of excess and cases falling short. In some cases tithes had been taken to such an extent as ought not to form the basis of a permanent charge, and on the other hand he was well aware there were instances, as had been satisfactorily established by undoubted evidence, of clergymen who did not receive more than forty or fifty per cent. of the amount to which they were entitled. It appeared only fair and just to interfere in those cases, and when they wished to establish a permanent settlement of tithe which was to endure for all future time, he thought it right to fix a sum to be taken hereafter, which should not exceed or fall below a certain amount in proportion to the gross value of the tithe. With respect to the minimum and maximum, which he assumed to be sixty and seventy-five per cent. of the value, if it should appear that the sum hitherto paid was between those two limits, it should be competent to the Commissioners to make such an award as they thought the circumstances and the justice of the case required. He knew it would be said by those who were in the habit of talking of the absolute right of tithe, that no payment less in amount than the absolute value, should be taken as a ground for fixing a permanent commutation, but he did not agree in that doctrine. He thought that tithe was the property of the nation, although participated in by individuals, and that deductions might be made from it in consequence of the very nature of the property. When a clergyman insisted on a sum on account of tithe which had never been previously received, he was immediately at war with the farmers who were his parishioners, and that demand should not in the nature of things be pressed as a foundation for a future permanent commutation or charge. There were certain cases of tithe which might come under a particular rule, and which indeed would require a special regulation to govern them; he referred to tithes on hop-gardens, orchards, and market-gardens. In those particular cases the tithes on extremely valuable crops were high, but they could form no fair average for a general commutation, nor indeed could they be allowed to enter into such an average. He proposed giving the Commissioners the power of taking certain hop districts, in order to ascertain the average tithe of the last seven years, and fix the amount in future. The Commissioners would also have the power of declaring what the tithe of any particular land or property should be, supposing hop cultivation to be abandoned; and it was provided that in cases where land should be brought into hop cultivation anew, it should be subject to an additional payment of 15*s* an acre on account of tithe. Those interested in hop cultivation had declared themselves ready to come to some such compromise as he had indicated, but they objected to continue to pay tithe on hops after the cultivation of them should have been abandoned. They naturally considered that such an arrangement would be highly injurious to them. With respect to the case of orchards and gardens, he confessed he had not been able to satisfy his mind as to a particular provision on the subject, although he admitted lands thus cultivated to be particularly circumstanced. However, this might be a subject for future consideration. Whatever might be done with regard to orchards and garden-grounds now existing, he felt considerable difficulty in rendering land that might be converted into orchards or gardens in future liable to increased tithes. Orchards were a precarious and uncertain description of property, and frequently did not bear in certain years; and with respect to garden lands, if the legislature allowed the question to be opened again from time to time, it would give rise to incessant disputes. With respect to future payments, he proposed that the average prices, for seven years, of wheat, barley, and oats should be published at certain periods, by the controller of corn returns—that this publication should take place every year, and that the payment of rent-charge made in lieu of tithe should be varied accordingly. He proposed to take the prices of three different kinds of grain for the purpose of ascertaining the value and amount of the charge, so that if an individual were chargeable with 300*l.* for tithe, one third would be estimated by the price of wheat, one third by that of barley, and the remaining third by the price of oats, which would be giving each a fair proportion in the gross amount. Thus the tithe owner would be entitled to receive every year payment according to the fluctuation in the value of grain, which must be taken to represent the fluctuation in the value of money. There was another part of the subject which he did not propose to include in this bill, though it formed an important part of the general question, and might be fitly introduced in a separate measure,—he meant the question of redemption. He thought it very proper, after means were adopted by which a rent charge should have been established and agreements made between tithe owners and tithe payers, that a measure should be introduced with regard to redemption, and on a future occasion he would lay a Bill on the Table with that view; but considering the difficulties of this part of the subject, he thought it better not to incumber it with the additional difficulty inseparable from the question of redemption, and therefore he had omitted the matter in the present measure. He was well aware of all the difficulties and objections connected with the subject referred to; he would now only mention a few of them. According to the plan of redemption which he contemplated, taking a certain scale—say twenty-five years' purchase—a person would have the power of freeing himself from the rent charge by a corresponding payment. If the money thus obtained were to be laid out in the funds, and the interest paid to the clergy, many would object to that as by no means an advantageous arrangement. If the clergy had a certain portion of land assigned to them as the proceeds of the redemption fund, each individual clergyman would be converted into a small landowner, and exposed to the distraction of a new avocation, incurring all the risk and inconvenience of a farmer with his farm-buildings out of repair, and other cares and annoyances inseparable from agriculture. If the redemption money were invested in large portions of land, clerical corporations being created in different dioceses for their management, and to distribute the revenues among the clergy, you would introduce a novel and inconvenient, if not dangerous, description of property into the country—property held by the clergy according to certain principles peculiar in their nature and open to much invidious remark. This species of property, peculiarly managed and appropriated, would, in his opinion, expose the clergy to more danger than could be incurred by fixing tithe as a rent charge on the land-owner, whom he thought most likely to pay it with the least reluctance to the clergy. Without, therefore, entering at present on a detail of all the objections to which the principle of redemption might be liable, he contented himself with stating that he would on a future day introduce a Bill on the subject, and lay it on the Table for the consideration of the House. He should rejoice in being able to meet all the difficulties of the case, if that were practicable; for the present, however, he merely proposed that a rent charge should be created in the way he had already explained, which would produce a certain income to the clergy, without those objections that applied to tithes—a plan that, if it did not settle the question to the immediate satisfaction of all parties, would in a few years leave persons at liberty to cultivate their land as they pleased, and apply their skill and capital to its improvement without any apprehension of an augmentation of tithe—placing the clergy in that situation which they ought to occupy, and providing them with a regular and independent income connected with the land

and the land-owners of their parish, and free from the present objections to the collection of tithe. The income of the clergy would ultimately flow from the land-owners, and not from each tenant or farmer; and the clergyman would be relieved from an alternative that now often existed, either of making personal enemies by pressing his demand, or injuring himself by abandoning it. He proposed that the rent charges should be liable to the payment of rates, as tithes were at present. Many of the rates were now diminishing, and it would be difficult to make a deduction on account of them. It would be more satisfactory to the several parishes and counties if, under the new arrangement, the clergy were rendered liable to rates, by which means they would have a common interest with their neighbours in diminishing their amount. He had now stated to the House the plan on which Ministers proposed to settle the question of tithes. He had stated at the commencement of his speech that the subject was full of difficulties, and he was far from saying that the present plan was superior to all that had preceded it; but he did think, if Parliament would steadily turn its attention to the proposition, that it might be worked out in such a shape as to be productive of great benefit, and next after the settlement of the Poor Laws, to contribute, in the most important degree, to the well-being of the country. He was sure the final settlement of the Tithe Question would be of the greatest importance, and confer the highest benefit on the church, as well as upon the country at large.

Sir *Robert Peel* asked the noble Lord whether his plan applied to lay impropriators as well as to ecclesiastical incumbents? The noble Lord had omitted to state how the rent charge was to be apportioned on the land; was there to be a valuation of land, and was the rent charge to be apportioned according to the value? Lastly, what remedy did the noble Lord propose to give the church in case of non-payment of the rent charge—how were arrears to be recovered?

Lord *John Russell:* The plan applied to lay impropriations as well as to ecclesiastical tithes. With respect to the second point, which referred to the manner in which the value was to be distributed, of course, in the first instance, the charge would be apportioned in the same manner as tithe was found to be payable for the last seven years; but it would be in the power of any land-owner to demand that any particular part of his estate should be charged with a greater or less proportion of tithe, and that would be settled before the Commissioners. With respect to the right hon. Gentleman's third question, as to what remedy the owner of the rent charge was to have, he replied that his remedy would consist in a distress and entry upon the land, but with this limitation, that the remedy should not apply to arrears of rent charge for a longer period than two years.

Mr. *Gisborne*—Did the noble Lord apply his Bill to mineral tithe?

Lord *John Russell*—Yes, to all tithes.

The question having been put,

Sir *Robert Inglis* complained of the plan of the noble Lord, inasmuch as it would at once reduce the incomes of the clergy to seventy-five or sixty per cent. of their present amount. Had the plan of the noble Lord been adopted three centuries ago, the church would not have stood in the position in which it now did. The oldest property in England was not more than eight centuries old, while that of the church was at least fourteen. What could constitute a better title? If this title failed, all others might follow. He could not understand the distinction between private property and church property, which was sought to be drawn by the noble Lord; but, in his opinion, the noble Lord ought not to take from tithe property any proportion of its security or value by a compulsory provision.

Sir *Robert Peel* did not rise for the purpose of urging any preliminary objection in point of form to the present proceeding, but he nevertheless thought it important that the law of Parliament should be distinctly defined and adhered to in the course to be pursued with respect to tithes; otherwise there would be a variety of conflicting authorities and precedents on the subject. The authority of Lord Althorp would be quoted for having introduced his Tithe Bill in a Committee of the whole House.

Lord *John Russell:* Lord Althorp took two courses: he first introduced his Bill, as has been now done, and afterwards moved the House into Committee, and introduced the Bill again.

Sir *Robert Peel* was aware a mistake had been committed by the noble Lord, who might therefore be appealed to as an authority on both sides, either for proceeding by Bill or Committee. Gentlemen might quote himself as an authority for proceeding last year by resolution in Committee of the whole House, and that precedent might be met by the authority of the noble Lord, who had proceeded at once by bringing in a Bill. Thus there had been four adverse precedents as to the manner of introducing the tithe subject within two years. It would be of advantage, for the purpose of preserving regularity and uniformity in their proceedings, to determine whether it was right to proceed by way of resolution in Committee of the whole House, or by an original Motion for leave to bring in a Bill. He did not say this by way of objection on the present occasion, but because he thought it of importance that the law and practice of Parliament should be settled, and because he considered it an advantage to the public, where a question of importance like the present was to be introduced, that the Bill should originate in the usual form in a Committee of the whole House, for it was obviously of consequence that prejudices and doubts arising from ignorance of the details of a plan should be met immediately by explanations from the individual proposing it, and this could be most conveniently effected in Committee. He apprehended that the noble Lord had made considerable advances towards an agreement with him on the subject of tithes in some important respects. He did not urge that circumstance as an objection against the noble Lord; so far from it, that he thought the noble Lord perfectly right in admitting the force of objections which he found to be insuperable, and adopting another plan which he might hope to find more satisfactory than those which he had previously advocated. The noble Lord felt the objections against the mode of estimating the real value, and taking the averages of seven years, as formerly proposed, and he also now felt the objection to Lord Althorp's plan for establishing a certain proportion between rent and tithe, things quite different in their nature, but in respect to which Gentlemen had been deceived by an apparent but fallacious analogy. Tithe was a payment founded on the basis of actual produce, but rent was not; therefore the two charges were incommensurate; and this being the case, any attempt to establish a proportion between rent and tithe must necessarily end in failure and disappointment. The nominal rent of two farms might be the same, yet afford no criterion of the actual productive value of the land; for in one case a man might pay for farm buildings and superior personal accommodation, and in the other the amount of rent might depend on the superior fertility of the soil. He quite agreed with the noble Lord, therefore, that it was proper to abandon the attempt to establish a proportion between rent and tithe. The noble Lord had adopted the whole machinery proposed to be introduced into his (Sir R. Peel's) tithe bill of last session—he did not complain of the plagiarism, far from it; he wished sincerely that the noble Lord had adopted the whole Bill, and carried out its principle, as well as the machinery, in his own measure. Even now the noble Lord seemed willing to admit of alterations in his Bill, and rather to invite contributions and suggestions for perfecting it. Encouraged by the tone of the noble Lord, he felt almost inclined, if he could find his own Bill of last year, which had never been presented to the House, to ask leave to bring in a measure by which he proposed to effect a voluntary commutation of tithe. That was the principle of the Bill of last Session, and in the present measure the noble Lord did not exclude it. He would not now enter upon the noble Lord's plan of a minimum and maximum of rent-charge, ranging between sixty and seventy-five per cent., of the gross value of tithe, because he thought it infinitely better to abstain from any attempt to decide the question, not on the sight of the noble Lord's Bill, but merely on the statement of its author. It would be better for every gentleman to reserve his opinion on the subject of the plan, till he had enjoyed an opportunity of examining the Bill itself. The difference between the noble Lord's proposition and his own consisted in the principle adopted, not in the machinery by which that principle was to be worked out. He (Sir R. Peel) proposed that a commission should be appointed, consisting of a superintending Board, with functionaries acting under it, and whatever principle Parliament might finally adopt as the basis of commutation—whether a compulsory principle, as now proposed, or one of a voluntary nature, as suggested last year, he doubted exceedingly whether, without the aid of such functionaries, the necessary local inquiries and arrangements could succeed, or a satisfactory settlement be obtained. He believed, however, that the noble Lord had adopted the mode of proceeding, waving the principle, proposed last year—the only mode, as it seemed to him, of acting with effect. That plan consisted, as he had said, in the establishment of a superior Central Board of Commissioners, in correspondence with Sub-Commissioners, using their persuasions on the spot, in order to effect a settlement of tithe, affording information to those who required it, and assisting the parties interested with their advice. The difference between the principle of the measure now proposed by the noble Lord, and that formerly explained to the House by himself was simply this—that he had proposed that for a certain period, the parties interested in the payment and receipt of tithe should be invited by one of the travelling Commissioners to meet him for the purpose of considering the question, and attempting to come to a voluntary agreement for a permanent commutation of tithe, while the noble Lord, though he still proposed to allow for the operation of the voluntary principle a certain period—he had mentioned six months—at the expiration of that time introduced a compulsory commutation, and now stated the principle on which it was to be applied. It was true the noble Lord did not seek to bind himself or the House exactly to the space of six months, though he had mentioned that period as the term to be allowed for voluntary commutation; but neither did he (Sir R. Peel) mean ultimately to exclude the compulsory principle, if he had found its adoption necessary. If a voluntary commutation had failed, it was still open to him to resort to a compulsory provision. Meanwhile, the advantage of his plan over that of the noble Lord consisted in this—that, whereas the noble Lord now proposed, without having any experience of the working of the principle of a voluntary commutation, to prescribe at once, in precise terms, the manner in which his principle of compulsory commutation should be exercised; he proposed not to adopt the compulsory provision till he had tried the voluntary plan. He thought it impossible for the noble Lord at this moment to lay down any such principle precisely with a well-founded assurance, that it could be carried into effect; yet, if Parliament were to prescribe principles upon which a commutation was to be effected, it was of importance, that the country should understand that those principles would be strictly adhered to; but this, he repeated, was absolutely impossible in the present instance. The tithe payers and receivers would be utterly at a loss to understand how they were to proceed to a voluntary commutation, unless they felt assured, that the principle now laid down would be firmly adhered to in all cases; but it was impossible to be certain of that, for the noble Lord, though he talked of seventy-five per cent as a maximum, and sixty per cent as a minimum, said very plainly that he would not bind himself to that proportion. [*Lord John Russell meant to adhere to a progressive scale between sixty and seventy-five per cent.*] He confessed he did not think this a whit more satisfactory than the noble Lord's original statement. Parliament would find it very difficult to determine with exactness what the proper proportion should be in all cases. He was glad to observe, that great progress had been made towards voluntary commutation, on the principles of the plan which he proposed last Session; and his firm conviction was, if the parties were once brought to an approximation, under the guidance of impartial persons, able to answer every question of law, and inquiries as to the effect of the system adopted in other parishes, from the moderation and good sense of both receivers and payers of tithes, there would, no doubt, be evinced throughout the country the strongest inclination to adopt the voluntary system. If Government only said, "We will exempt the instrument by which all this is to be ratified from any pecuniary charge, we will exonerate from stamp duty those who avail themselves of the opportunity thus afforded, but, that opportunity neglected, our indemnification will no longer be available," a sense of direct personal interest would greatly facilitate an immediate voluntary commutation. Considering the peculiar nature of tithes—considering not only the great variety of laws on the subject, but also the various circumstances affecting different parts of the country,—the variety of soil, the various ways in which different parishes were subject to that impost; some to rectorial, others to vicarial tithes, and some in which there were various recipients of tithes to different amounts, he could not help thinking this was precisely the case in which a voluntary agreement was most likely to succeed; and, so far as they could call in voluntary agreement, as a substitute for law, no doubt a great advantage would be gained. If the future payers of tithes in any particular parish knew that the arrangement made had been come to by voluntary agreement of both parties, under the superintendence of an impartial man, and that it had not been ratified till the superintending Board in London had given their consent to it, he could not help thinking there would be a greater prospect of satisfaction with their award, than if a Commissioner, according to the plan of the noble Lord, in case voluntary commutation failed, should go down with his proposition of sixty or seventy-five per cent. The experience acquired by voluntary commutation would afford the best indication of what should be the best principle hereafter to be adopted. There might be some cases in which difficulties would present themselves to a voluntary commutation; but from an ample review of all those in which it had taken place, it would be easy to extract a much more satisfactory principle to regulate compulsory commutation than could well be devised in total ignorance of the subject after only six months being allowed for voluntary commutation. The noble Lord said, he wished every parish to be placed on the same footing; and that hereafter one should not be able to say it was placed on a different footing from its neighbours; but that would by no means be the case. One parish would have to pay only 60*l.*, while another, perhaps the immediately contiguous one, was paying 75*l.* per cent, not with respect to the actual value of the tithes, but founded on the payments for the last seven years, and dependent in a great degree on the forbearance of the clergy. The object of the noble Lord being to secure uniformity as far as possible, equality of payments, on account of tithe in every place where voluntary commutation was not effected, his own Bill would defeat that intention, and present in parishes in immediate juxtaposition a different amount of payment on account of tithe. Whatever plan was to be adopted on this subject, which was so extremely complicated, would be best recommended by simplicity. There were many points connected with the noble Lord's plan, which, he feared, had not been sufficiently explained to make it perfectly intelligible to the House; and probably it could not be well understood until the Bill itself were presented; but, if on seeing that Bill, there should appear great practical difficulty in the way of the adoption of a compulsory principle, or if there should appear to the House good reason to believe, that the experience of an attempt at voluntary commutation would supply much most valuable information how the compulsory principle might be best applied, he hoped he might be permitted to bring in his Bill, so that if, after proceeding a certain way, difficulties were found to present themselves in the noble Lord's plan, the House, without reference to party distinctions, would not feel indisposed to make this Session a fair experiment on the principle of voluntary commutation.

Mr. *Harvey* doubted whether any history presented an instance of a more rapid conversion than that which the Bill of the noble Lord was calculated to make. He would convert a very permanent body of political opponents into a very ready body of admiring adherents, for there was something in his Bill well calculated to secure the applause of the landed interest, inasmuch as the measure itself proposed at one blow, and by one concession, in all cases to give up twenty-five per cent., and in many cases forty per cent. of the property which he had always contended was the property of the public. There was enough in this Bill secretly and silently to secure the support of a great number of Members, but he could not understand on what ground a positive benefit was to be purchased at so high a rate, because it was admitted on all hands that to commute the tithe, as it was now collected, into a permanent money payment would be to the cultivator of the soil a great and lasting advantage. But why make a concession to those who were to derive this benefit? He knew it would be said why should objections proceed from a party entertaining the sentiments that this was public property? The public would derive no benefit whatever from this concession. The augmentation of tithes was now converted into a fixed and permanent money payment; beyond that where would be the advantage to the tenant of the land? Although it was not to be expected that the noble Lord had developed all the minutiæ of the case, yet he did not gather in what way the lessees were to receive the benefit of concessions, of which the landlords were to be immediately the partakers. If so large a concession was to be made of public property—if the property of the Church belonged exclusively to the Church, on what principle was it that we were transferring from twenty-five to forty per cent. to lay hands, and to that extent denuding the Church. This calculation of the value of tithe was to be made retrospectively for the last seven years, embracing the present year, and the year preceding; two periods in which agricultural produce had been without example as to its lowness. This was to be the test of the permanent estimate of the value of tithe, twenty-five per cent, was to be taken in most cases, and forty per cent. in many cases of income rendered essentially low by reverting to the average which was to be the standard of calculation. At no distant time you would find that in many of the livings the receipts of the working clergy were reduced to so low an amount that you would be obliged to look to some quarter for augmentation. Where would it be found? Would the landlords of England, the owners of the soil, disgorge the twenty-five per cent.? Would a proposition be made to call on the people for a large money grant to make up the deficiency? It was important that an arrangement so fraught with advantage to the landlords should not be prejudicial to the great body of the people. Last night there was a discussion on the corn laws. If they were seeking to devise some equivalent for the undeniable consequences which any alteration in the corn laws would cast on the landlords of England, he might see some justification in this concession; but that not being the case, how, he again asked, would this abandonment of tithe in favour of the owners of the soil operate to the benefit of the occupier or the people in general? The measure should, of course, be analyzed in all its bearings, but at present he entered his protest against so large a concession of public property unconnected with any corresponding advantage to the people or the occupier of the land.

Mr. *Hume*, while he admitted that tithes were public property, subject to be appropriated by Parliament, and that it was the duty of Parliament to make such an appropriation of them as might be most advantageous to the public, was still of opinion that the present subject was one which could not be settled without concessions from all parties. He thought it the wisest plan on the part of his Majesty's Government, to settle it at once; and they had a right, having that object in view, to call for the assistance of all parties. Some few years ago—in 1821 and 1822—he was one of the few who then wished for a final settlement of the tithe question, especially with reference to Ireland. Looking at the results of the delay which had occurred on that point, he hoped his Majesty's Government, with the advantage of experience, would not pause until the object in view was accomplished. It must be recollected that the subject was not one on which a uniformity of opinion existed. One-half of the inhabitants of the country reaped advantage from the tithe, but the other half did not. He took it to be the wisest course, therefore, for Ministers to come forward and make a fair offer of an understanding. Would the clergyman object to the present proposition? He thought not. Would the country gentlemen? A few might; but, looking at the contending interests, he did not think there would be any great objection to it. The right hon. Member for Tamworth proposed to substitute, in the present session, voluntary arrangement for the noble Lord's Bill. This he (Mr. Hume) thought would be dangerous. In his opinion, six months would be sufficient to consider the matter, and to fix the amount of the commutation. He confessed, however, that he saw one difficulty in treating the subject. If the produce of the land were subject to the same laws as other produce, if it produced only its just value in the market, if it were out of the reach of monopoly, it would be another thing. But the consequence of the corn laws was that the corn trade had never been free; that it had always been kept in a state of artificial excitement. And yet he believed that at the present moment, corn was at a lower price in consequence of the corn laws than it would have been if those laws had never been passed. He would give his humble support to the measure, knowing the evils that would be risked by leaving the question in its present state. The hon. Member for Southwark had asked what the public would gain by it? Could any one put that question, seeing the existing inconveniences? Nothing could be more clear than that the public were at present losing to a considerable extent every way. After the passing of the Poor-law Amendment Act, it became of the utmost importance that the largest possible amount of capital should be set free for the employment of the poor. This rendered it the more necessary that no time should be lost in proposing an Act for the permanent settlement of tithes. Many forebodings of coming evils and of diminished manufacturing prosperity had of late been made; and although he did not participate in the fears which were entertained by others on that point, he was still anxious, in the event of capital being thrown out of employment in manufactures, that an opening should be made for its investment in the interests of agriculture, such as would occur on the passing of the present Bill. It was well, he thought, to provide against the possibility of a disadvantageous change in the manufacturing interests, which a commercial country like England, depending much upon foreign demand, must always be liable to, by opening another source for the employment of capital, which could not fail of being highly beneficial to the nation at large. Looking at the Poor-law Amendment Act as one of the most important measures which had been carried through the Legislature during his experience as a public man, he was anxious that every means should be taken of carrying it fairly out. He thought that a measure for the commutation of tithes would contribute much to that end; and by increasing the quantity of capital employed in agricultural affairs, would go far to improve the condition of the agricultural poor. There was, however, one part of the noble Lord's plan to which he feared it would be impossible for him to give his concurrence. He conceived it to be contrary to the general principle of the measure, and on that account, upon further consideration, he hoped the noble Lord would see the propriety of striking it out. He alluded to that part of the plan which related to hop grounds, and to gardens and orchards. His view of the subject might perhaps be regarded as singular; but, upon reflection, he was sure every one would see it was correct. He could not help looking at hop grounds, and at gardens, and orchards, in the same light as manufactures; and for this reason, they were comparatively small portions of ground upon which a very large amount of capital was necessarily expended to make them productive. That being the case, it appeared to him to be highly injurious, as well as extremely unjust, that the produce of such lands—produce obtained by the expenditure of so great an amount of capital—should be subject to a tax in the shape of tithe. For instance, where 300*l.* had been expended in the construction of a pinery, or where 30*l.* or 40*l.* an acre had been expended to bring land into cultivation for hops, was it not extremely hard, and was it not directly contrary to the principle upon which this Bill professed to proceed, that the produce obtained at so great a cost should be subject to the payment of tithe in the same proportion as the produce of lands cultivated at a much less expense. He trusted that the noble Lord would see the necessity of reconsidering this part of the Bill. The only difficulty that stood in the noble Lord's way was the dealing with present incumbents. He certainly did not think it would be fair to pass any law taking from present incumbents the income they enjoyed; but he saw no difficulty in passing a law by which all future incumbents should receive from hop-grounds, gardens, and orchards, only such an amount of tithe as should be equal to what the fair average value of the produce of the soil would be without the expenditure of so great an amount of capital. He trusted, that if the noble Lord did not embody some arrangement of that kind in the Bill, that means would be found of doing so when they went into Committee. In all other respects he thought the Bill well calculated to remove existing difficulties, and to give general satisfaction to the country.

Lord *John Russell:* the hon. Member for Middlesex had mistaken what he stated with respect to hop-grounds. It was proposed that the assessment in all existing hop-grounds should be made on an average of the value of seven years; and that all new lands intended to be brought into cultivation for hops, should pay an additional and fixed sum of 15*s.* per acre. The hon. Member for Middlesex would at once perceive the distinction which was thus made in favour of the employment of capital. With respect to the point raised by the right hon. Baronet the Member for Tamworth as to the most proper mode of introducing a measure of this description into the House of Commons, he would merely observe, that if the Bill contained any project for imposing a tax, it would no doubt be necessary that it should be founded upon a Resolution originally agreed to by a Committee of the whole House, but in a matter relating only to the commutation of a certain payment between individuals, he conceived such a course was not necessary. He had, therefore, preferred the simpler and easier mode of moving for Leave to bring in a Bill. With respect to the plan which the right hon. Baronet proposed last year, and which he said he might perhaps put into the shape of a Bill again in the present Session, he (Lord John Russell) must say that he was still strongly of opinion that it would be better to adopt a compulsory rather than a voluntary measure for the settlement of tithes. He thought that a voluntary commutation would only be very partially adopted, and in all probability that at the end of a five years' trial it would be found much more difficult to effect a satisfactory settlement of the question than it was at present. The House, of course, would adopt whichever course it thought most beneficial; but he was decidedly of opinion that the compulsory system would be found to operate most beneficially,

Sir *Edward Knatchbull* was as anxious as the noble Lord, or any other Member of the House, for a satisfactory settlement of the Question of Tithes, and he could assure the noble Lord that some measure upon the subject was most earnestly looked for by the agricultural interest throughout the whole kingdom. He had attended very closely to the statement made by the noble Lord that evening, and although he could not entirely concur in the whole of it, he was most anxious to give the plan proposed a fair hearing, and with that view he should defer urging any objection until he saw the Bill in a more advanced stage. He would only say that with regard to the assessment of hop-grounds, in which he of course was very deeply interested, he much doubted whether the noble Lord's plan would be found to operate impartially.

An *Hon. Member* wished to know whether the reduction which it was proposed to make was to be made upon the gross amount of the produce of the land, or upon the amount of tithe actually taken in kind? If the former were the intention, how would it be possible to ascertain what the gross produce of the land had been during the last seven years? He could further assure the noble Lord, that if the reduction were to be made upon the gross produce of the land, it would be considered as no very great boon. He mentioned this with no unfriendly feeling towards Ministers; he merely threw it out for their consideration.

Lord *John Russell* thought he had sufficiently explained that the reduction was to be on the gross amount of tithe taken in kind. He conceived that there would be no difficulty in ascertaining what the gross amount had been; because the Commissioners would have before them the actual receipts of the last seven years. Besides, the assessment would be made by persons accustomed to surveying for the purpose of ascertaining the value of tithe. With respect to any objection which the right hon. Baronet the Member for East Kent (Sir Edward Knatchbull) might feel in regard to that part of the plan which related to hops, he could only say that he should be most happy to listen to any suggestion which the right hon. Baronet might please to make upon that subject.

Leave given to bring in the Bill.

ALIEN ACT AMENDMENT.] Lord *John Russell* rose to move for leave to bring in a Bill for the Registration of Aliens. He proposed to abolish the present Alien-office altogether, and to provide a branch of the Home-office, at which Foreigners, instead of undergoing all the unpleasantries arising from the provisions of the present Alien Act, should simply be called upon to declare their names and where they came from. In fact, instead of imposing any restriction upon foreigners, he merely wished to adopt such a regulation as should enable Government to ascertain with precision, how many foreigners might be in the kingdom at any one time.

Mr. *Roebuck* begged to ask whether the noble Lord had ever considered what the effect would be of our having no Alien Act at all. There was a country much larger than England, and in which, therefore, it was much more difficult to detect the presence of foreigners, but in which there was no Alien Act; he meant the United States of America. An alien might traverse the United States from end to end and never be asked his name or condition. And what inconvenience had been found to arise from this perfect liberty accorded to foreigners? None whatever. And what inconvenience, what difficulty, or what danger, would arise if a similar freedom were allowed in England? It must be notorious to the noble Lord that no passport, no restriction which the ingenuity of man could suggest, was found sufficient in practice to prevent a foreigner from going through a country if he were determined on doing so. Instances were constantly occurring of individuals passing through countries where the system of passports was kept up in the strictest and most rigid manner. There was an instance only a short time since of an individual passing through France and getting into Spain in spite of the vigilance and quickness of the French police. Of what possible use, then, could it be to have even a register of names of the foreigners who might choose to visit England? He recollected that when he was in France, no long time ago, wishing to create as much confusion as possible amongst the authorities who looked to the passports, he took it into his head to tell them that he was Don Carlos. His passport, it was true, described him by a different name, but how were the authorities to know which was right. He merely mentioned this to show how useless a thing a passport was. In fact it was a mere farce. It did no good in the way of protection; it was nothing more nor less than a troublesome, useless, stupid instrument, created by ignorance and continued by absurdity.

The *Chancellor of the Exchequer* said, that the Bill was not intended to impose restrictions upon aliens, but to relieve them from all restrictions of which they could complain. All that was proposed under the Bill was a simple registration of names. He was aware that under the old Alien Act there were many just grounds of complaint, but he would venture to say that there was nothing of which foreigners had ever complained which would not be completely and effectually met and remedied by the present Bill. All the rubbish, all the nonsense, all the injustice, and he might say all the atrocity of the old law would be effectually swept away by the present measure. As his noble Friend had stated, the sole object of the register was to enable Government, at any time, to know the number and quality of the foreigners who might be resident in this country. As to what had fallen from the hon. Member for Bath, he would only say that other persons might pass for Don Carlos as well as he; and if aliens chose to give in false names, he knew not what remedy there was against it. But after all, that was nothing more than a fraud upon the register, and there was no law that could be made upon the subject which would not be open to the same objection. After the passing of this Act, the alien in England would find nothing in our statute-book restricting in any degree his action, his selection of a place of residence, or his power of locomotion; in short, he would find nothing of which he would have a right to complain.

Mr. *Warburton* admitted that the present Bill would remove many vexatious restrictions to which the foreigner in England was at present liable; but when he found the Government inclined to go so far, he only regretted that they would not go one step farther, and remove every restriction of every kind whatever. Supposing the present measure to pass, how was it to be enforced? The complaint against the old Act was, that it imposed regulations with which the honest would comply, but which the dishonest could always avoid; and that, in the case of the latter, there was no remedy. What remedy was there here? It was provided that every foreigner, on landing in England, should give his name at the Customs, and that the name so given should be forwarded to the Home Office to be registered. Suppose the right name were not given, what remedy was there? And let it be remembered that the very persons against whom it was necessary to have some sort of protection—the very persons who came over here with bad intentions—were the very parties with respect to whom this measure would be inoperative, because they were the very persons who would not give their right names. Was it intended to impose heavy penalties in cases of wrong names being given? or what course was to be taken to make the law operative to any good or useful end? He thought the flimsy regulations imposed by this Bill were wholly unnecessary.

Dr. *Bowring* bore his testimony to the inutility of any attempt to prevent the ingress or egress of foreigners, when they were determined to enter or retire from any country, however jealously its frontiers or shores might be watched. A very distinguished person connected with the police in France had told him (Dr. Bowring) that the passport system afforded no sort of security whatever, as it was constantly open to abuse. He thought that the time had arrived when England should set an example to the rest of Europe upon this point, and should leave her shores open to every body to come or go as they pleased.

Mr. *Hume* was of the same opinion. When he went abroad, and had reason to complain of the operation of the alien law in other countries, he wished to have the opportunity of pointing to the state of the law upon the same subject in England, and bidding the other nations of Europe to follow our example.

Mr. *O'Connell* thought that everything which had been said went to prove that the Bill proposed by the noble Lord might be brought in, because it was on all hands admitted that it would abrogate a bad law, and substitute a better one in its place. What the details of the Bill should be, would be matter of consideration for the Committee. According to the alien law in Ireland, any Protestant, from any part of the world, was immediately naturalized on his arrival there. No Protestant, therefore, could be treated as an alien in Ireland. He had no objection to the continuance of such a law, provided the naturalization were extended to all other persons.

Lord *John Russell* had brought in a Bill to do away with all that seemed to him to be vexatious under the present law; but he must say, he had been received as if he were a person endeavouring to impose ungrateful restrictions on aliens, and were disposed to keep up the remnants of a system of tyranny and despotism that formerly prevailed. Certainly it was not his intention, when proposing the regulations embraced by his Bill, to render the situation of aliens in this country in any degree painful or irksome to them. His purpose was quite different. But when we were constantly taking the census of the British population, he did not think that aliens should be especially free from all regulation by which their numbers could be ascertained. It seemed to him that it was far less vexatious to require a man entering this country to say where he came from, and where he was going to, than to be knocking at a person's door, and taking a census of his whole family.

Lord *Dudley Stuart* concurred with the hon. and learned Member for Dublin, that the Bill ought to be referred to a Committee. As it appeared to be the general feeling among hon. Members that aliens should be relieved from any regulation whatsoever with regard to their coming to and going from this country, he hoped his noble Friend, between this and the time for discussing his Bill, would consider whether it would not be better to afford aliens that relief, inasmuch as whatever regulations might be established must, more or less, occasion to them annoyance. He begged to call the attention of the House to this point, that when the Government asked what harm this Bill could do, it might with equal force be asked, what good could it do? If the Bill should be proceeded with, then, for the sake of consistency, it ought to be enacted, that every Englishman, either going out of or coming into this country, should be bound to present himself before some public officer. But his noble Friend knew very well that such a law could not be enacted, because Englishmen would not submit to it; he therefore thought that, in justice, they ought to relieve foreigners from the oppressiveness of a similar regulation.

Captain *Pechell* said that the present law regarding aliens was very oppressive in one respect, namely, the expensive mode by which the rights of naturalization and denization were to be acquired. He knew many officers who had been for twenty or thirty years in his Majesty's army and navy, who were prevented from acquiring the rights of property by the heavy charges to which they would be exposed in obtaining Bills of naturalization. Leave given.

FEES TO OFFICERS OF THE HOUSE.] Mr. *Hume* rose to move that all payments made by Members for the delivery of Sessional papers from the Vote-office, and all gratuities paid to doorkeepers, messengers, and superintendent of the Members' waiting-room should cease. The salaries of the Speaker, and of the Sergeant-at-arms were already regulated by Act of Parliament, as recommended by a Committee of the House, and it became necessary that the remaining officers should be remunerated in a similar manner. At present they were paid by fees, without any system whatever; some being paid to the housekeeper, some to the doorkeepers, and so on, by which much extra trouble was created, so that it became obvious to all that some new regulation should be adopted. With that view, the Committee recommended a consolidation of the different duties, that the fees received by the different individuals should cease, and that Members of Parliament should not be put to any unnecessary expense for obtaining papers that were necessary to enable them to do their duty. Nothing could be more unsatisfactory than to have an establishment paid in half a dozen different ways, and if hon. Members would look to the items composing the income of the different individuals of the House, they would see the necessity of some alteration being made. The fees for the delivery of the Sessional orders were proposed to be abolished. In 1832, the late Mr. Mitchell, the deliverer of votes, received 4,719*l.* from the House in support of that office, which was composed of the following items:—salary, 1,400*l.*; fees from Members for delivering papers, 1,957*l.*; produce of the sale of 100 sets of papers, 1,250*l.* He (Mr. Hume) considered the selling of papers to be a bad practice. Papers which had cost the country 2,748*l.* were sold by Mr. Mitchell for 1,250*l.* By the plan proposed to be adopted, a saving would be effected to the amount of 2,819*l.* The Committee, in the life-time of Mr. Mitchell, fixed the salary of his successor at 800*l.* The present holder of that office, therefore, came in without any claim for allowance on account of any change that Parliament might think proper to adopt. The Committee also came to a resolution, that the allowance for three clerks should be 600*l.* a-year, and for messengers and supernumerary clerks 500*l*, a-year, making together 1,900*l.* instead of 4,719*l.*, which was before paid for the discharge of the same duties. The next officers whose situations were considered by the Committee were the two doorkeepers of the House of Commons. They received salaries varying from 600*l.* to 990*l.* a-year, according to the liberality of hon. Members in making their gratuities. He was sure no individual would say that such a state of things ought to continue. It was contrary to all principle, that Members should be called upon to pay for attending their Parliamentary duties. The Committee, therefore, recommended that every servant of the House of Commons, having specific and limited duties, should receive fixed salaries; and that whatever loss the present holders of these situations might sustain, should be fairly allowed for by the Treasury. He had seen the Secretary of the Treasury on the subject, and he was enabled to state that that hon. Gentleman was perfectly ready to act justly towards those individuals whose situations would be affected by any new regulation adopted by the House. He, therefore, could not see any objection to the Resolution he was about to propose. If it should be agreed to, the result would be a better and more efficient discharge of the business of the House, without injustice to any body. He was not prepared to state the exact incomes of the different individuals who would be affected by the order; but he understood that there were only two—Mr. Stevens and Mr. Gifford—who had purchased their situations, all the rest had obtained theirs by appointment. The hon. Gentleman concluded by moving a resolution to the effect stated in his speech.

Major *Beauclerk* had no objection to the principle of the resolution, but he thought the House would do well to consider the proposition before they changed the salaries of individuals who might have vested rights in their situations. That those individuals would throw themselves on the bounty of the House, he had no doubt; but when the very satisfactory manner in which they discharged their duties to the House was considered, he thought it became hon. Members carefully to watch their interests. He therefore hoped he should not be doing anything improper in proposing that the present salaries of those individuals should be continued during the time they might hold their situations.

Mr. *Poulter* never saw persons who so uniformly and respectfully performed their duties to the House, as those officers did who were constantly attending at the door of the House. They always paid to every hon. Member the most uniform attention and respect. But the House ought to look to more important considerations than that. He thanked the hon. Member for Middlesex for bringing forward the whole measure, in order to its final settlement. Anything more disgraceful than the practice which now prevailed could not be conceived, by which appeals were made to Hon. Members for fees or gratuities, not recognised by the House, but as matter of private emolument; thus raising a conflict in the minds of hon. Members, whether they should yield to the suggestions of their private feelings, or act upon their sense of public duty. He had for a long time submitted to pay these fees, but in the last Session, he told the parties he must postpone doing so. He could assure the House it was from no desire to save his money; but he thought it his duty not to continue any longer a most exceptionable practice. "Why, Sir, exclaimed the hon. Member, you are making this House a mere opera-house. Do we come here for our own private purposes, or do we come here upon public grounds? We come here for the performance of a high public duty, and yet we are made to pay for taking our seats, as if we were in a theatre. I say it is a most scandalous system, and altogether unbecoming a deliberative assembly to sanction." The Sessional papers were delivered to them for public purposes, and their delivery ought to be at the public expense. If he were not correct, let the House declare that it was the duty of Members to pay those fees, and he should most willingly pay them; but at present he thought it matter of high principle to refuse such demands.

Sir *Robert Inglis* hoped that the House would not be led to believe, by the eloquence of hon. Members, that the question was one of public economy. Hon. Members were called on by the Resolution to save their own pockets alone, and nothing more. It might be right or it might be wrong, but that was not the question. In the first place, respecting the delivery of the Sessional papers, he was bound to state that no charge was made to any hon. Member who applied for them personally at the Vote-office, in the exercise of his Parliamentary functions. If hon. Members wished to have them at their own houses, residing, as many of them did, in the extreme west end of the town, why should they not be called on to pay for the accommodation? With respect to the second branch of the resolution—gratuities to officers of the House—he would only say, that it was perfectly optional to hon. Members to give or withhold them. When they were inclined to give them, no order of the House could prevent spontaneous liberality. When they were not, there was nothing to compel them. The fact was, the Resolution, divested of all its accompaniments, would only have the effect of saving the pockets of individuals, but not of benefiting the public in the slightest degree.

Mr. *Kearsley* said, that as soon as the hon. Member for Shaftesbury (Mr. Poulter) had paid up his arrears, he should be prepared to give his support to this resolution.

Mr. *Francis Baring* said, that he looked at the Resolution as a part of the new plan recommended in the Report of the Committee, which had for its object the entire revision of the system by which the officers of the House were remunerated. He did not regard it, as the right hon. Baronet had stated, as a mere vote for the purpose of saving their own pockets. No one who had read the Report could say that the present system did not deserve the attention of the House. Other parties were looking with some sort of jealousy at the mode in which their public servants were paid. Those who were doing their best in aid of the public service, and who saw their own salaries year after year reduced, could not be indifferent to the fact, that the salaries of the officers of the House of Commons remained untouched. He admitted that the duties of the House were well discharged, and that the persons now in possession of office ought to be considered with great tenderness, and he should be perfectly ready to agree to a y amount of salary the House might consider the present holders entitled to receive. If it were true, that one of the door-keepers received above 1,100*l.* a-year, and another 600*l.*, he would ask whether, referring to the salaries allowed to other public servants, the House was justified in continuing such large payments? Was it to be said that the House of Commons, acting as a check upon the expenditure of every other public department, shrunk from looking at the salaries of their own servants? But they could not reduce those salaries, unless they abolished the fees. If, however, hon. Members were careless as to putting the money into their own pockets, let the fees still be paid, and applied to a general fund, out of which the salaries might be paid. The right hon. Baronet said, a charge would be transferred from individuals to the public; but if the whole of the recommendations of the Committee were adopted, no charge on the public would take place. He did not think the charge made against the hon. Member for Middlesex, of wishing to save his own pocket was decent or proper, after a Committee had recommended the adoption of his resolution. For the reason he had stated, he should support the Motion, looking upon it not as a single vote, but as the first step towards the adoption of the plan recommended by the Committee, which deserved the attention of the House.

Mr. *Goulburn* thought that it was not a question that came strictly within the legislation of the House. It was rather one of personal accommodation of individual Members. The doorkeepers were in the habit of undertaking various duties not incumbent on them, and taking trouble and attention in a variety of matters which hon. Members ought to attend to themselves. They separated papers and kept them distinct for hon. Members, who, if they did not like the trouble of keeping their own papers in order, ought to have no objection to give proper compensation to those who did. They were already, it was true, paid by salary; but it was in the contemplation of the House to compel them to undertake the other duties which they now discharged for the convenience of individual Members. He thought the precedents alluded to were not in point, for clerks in public offices had now their regularly defined duties and salaries, with retiring allowances on which they could depend; but these individuals were differently circumstanced, and hon. Members ought to be allowed to pay them as they pleased for facilitating their business. He knew something of the feelings of clerks in public offices; he knew that they were a class of men not less devoted to the interests of the public than those two individuals who officiated at the door of that House, and he thought himself warranted in assuring hon. Members that those individuals would not as a class feel hurt in any respect at any gratuities which the door-keepers of that House might be permitted to receive for their extra endeavours to accommodate Members of Parliament in the despatch of their business. For himself, he would say, that he did not object to any regulations which the hon. Member might introduce for the better regulation of the offices of the House of Commons, but he did object to the specific proposition which would prevent him giving a gratuity to any officer if he pleased, when he thought he deserved it by attentions independent of his duty.

Mr. *Robinson* was surprised at the tone in which the proposition of the hon. Member for Middlesex had been received. It was most unfair in the right hon. Baronet to put so illiberal an interpretation on that hon. Gentleman's motives. He (Mr. Robinson) was a member of the committee on whose recommendation the present motion was founded. He agreed to that recommendation, because he thought the present mode of paying their officers was objectionable and ought to be substituted by some other and better system. He agreed with the hon. Member for Middlesex in thinking that the Members of that House should be discharged of any expense whatever consequent upon their attention to their public duties. He hoped that the hon. Member's proposition would receive the sanction of the House; that a system disagreeable alike to its Members and its officers would be abolished, and that a more eligible and satisfactory one to all parties would be adopted.

Mr. *O'Connell* thought the House should be very cautious in carrying the principle sought to be laid down by the hon. Member for Middlesex to the extreme either of taxing the public for their own convenience, or of diminishing the income which these persons had received for a number of years, and in consideration and expectation of which they had devoted their lives to the discharge of the duties intrusted to them. What was meant by a fair and adequate compensation? Was it a compensation to the full amount of what they received at present? If so, it was fair and reasonable, and to those terms he assented; but so far as the present officers were concerned, it was not fair or reasonable that any individual feeling of delicacy relative to the payment of this money should be suffered to affect them. That such a delicacy did exist he could not doubt, after what he had heard from the hon. Member for Shaftesbury; but he must maintain that it ought not to be allowed to operate against those persons who had families to support, who could not resort to any other profession so late in life, and who could only continue to be door-keepers, and nothing else. Well then, admitting that these persons should receive some compensation, the only remaining question was out of what fund that compensation should come. He confessed he did not like the idea of making it a charge upon the public. If the proposed arrangement would make a sufficient saving in one department to compensate the officers in another, that was a good argument in favour of the alteration, but if this were not the case, he certainly did not feel disposed to increase the public burdens for the sole purpose of relieving the Members of that House from a payment which they had been in the habit of making. If such a system as the existing one were now proposed for the first time, he should certainly vote against it; but he must take the case as he found it, and treat it accordingly. Every hon. Gentleman who had spoken had borne testimony to the able and efficient manner in which these officers had discharged their duties. Let not the House then, in pursuance of any abstract theory, diminish the amount of the emoluments they received at present. H protested against any such diminution; in the propriety of effecting any prospective diminution he perfectly acquiesced; and he trusted that some fund from which the compensation could be derived would be discovered, without entailing any fresh charge upon the public.

Colonel *Conolly* was surprised to hear the hon. Member for Middlesex—the great advocate of economy—attempting to fasten upon the public a charge which, on a fair estimate, would amount to 6,000*l.* a year, more especially when every hon. Gentleman in the House was disposed to give some reasonable compensation in return for the attention he received and the civility he uniformly met with. If such a resolution as the present were proposed to him as a saving at the expense of the door-keepers, he would spurn it as an offensive proposition. If it were proposed as a saving at the expense of the public, it was even more dishonourable and more offensive.

Mr. *Warburton* was inclined to believe that a great majority of the Members of that House paid fees to the door-keepers, not because they received attention and civility, for which they considered themselves bound to make such a return, but because it was the custom. Some hon. Gentlemen paid the door-keepers nothing at all; others paid them one guinea, others paid them two; and out of the whole number he believed that few, in making the present, were actuated so much by a feeling on behalf of the individual, as by the fear that they would be considered shabby if they departed from the ordinary course. The ground on which he supported the Resolution was this: would not the public out of doors very naturally consider it a scandalous job, that the door-keeper of that House should receive a salary of 1,100*l.* a year? It was represented that the door-keepers performed their duties properly—granted. What was there in the duties themselves which entitled them to 1,100*l.* a year? Compare the salaries of these officers with the remuneration of other functionaries, and the absurdity was manifest. Lords of the Admiralty and Commissioners were only in the receipt of 1,000*l.* a year, and independently of the great distinction between the appearance to be supported by the one class of officers and the other, there was this further difference, that the Commissioners' duties lasted the whole year through, while those of the door-keepers only extended to one half of it.

Mr. *Richards* thought the effect of the gratuities in question was to make the door-keepers, to a certain extent, the servants of individual Members, and to entitle them to a proportionate degree of respect and attention. Why did Gentlemen give fees to post-boys and waiters at taverns? In order that they might receive a greater degree of personal attention. If waiters were wholly paid by the keepers of taverns the visitors could not expect to see that degree of personal attention and solicitude for their comfort which was so pleasant and gratifying.

Mr. *Ewart Gladstone* said, that the House should first decide out of what fund the compensation should be paid, and then apportion it to the full amount of the salary which each officer at present received. As the charge was confessedly to remain in existence during the tenure of these offices by the persons at present holding them, he did not see why the Members of the House should not continue to pay their fees without seeking to throw them on the public.

Mr. *Hume* replied, if there were any difference of opinion as to the amount of the gratuities, let an estimate be laid on the Table of the House, and the question would be set at rest; it must not be forgotten, however, that if two sessions occurred in the course of a year, the door-keepers received two sets of fees. With regard to compensation, if the question were referred to a Committee, it would rest with them to fix a just and equitable amount, as had been already done in a variety of other cases. Why should they adopt as to that House, a principle which was not acted upon in any other public establishment? Servants were not allowed to take money from individuals in clubs. [Oh!] Oh! Were they? Were they in the Conservative Club? There were several hon. Gentlemen opposite who could answer the question. He was astonished at the objections which had been urged to his Resolution, and at the spirit in which it had been met. He was never disposed to commit an act of injustice towards any individual. He was always for cutting down the salaries attached to sinecure offices, but in cases where there were real duties to perform, he felt he might be accused of being too liberal. The hon. Gentleman concluded by moving the first Resolution; and at the request of Mr. Sergeant Goulburn, read the second Resolution of which he had given notice relative to the compensation.

Mr. *Thomas Attwood* begged leave to ask the Chancellor of the Exchequer to give his word that the officers of the House should obtain justice from the Treasury in this reference, and he should be satisfied. He knew from experience the difference which existed in the result where justice was to be procured for small fry and for large fish. In 1796 the Chief Justices of the King's Bench and of the Common Pleas had their salaries raised from 3,000*l.* per annum in gold money—mind, gold money—to 8,000*l.* in paper money. ["No, no"] Well 7,000*l.* ["No, no."] Oh, 7,000*l.* at least. In the year 1796 he was sure the salary was 3,000*l.* a year. He would now say a few words about that hon. and excellent man the Member for Middlesex. He did not think it right in that hon. Member to cast his net so as to let the large fish escape, while he caught the little ones. The expenses to which Members of that House were now subject were enormous, and such as no man who had not a large fortune was able to bear. No man could be a Member of that House without incurring an expense of at least 1,000*l.* a-year over and above his ordinary expenses. This ought not to be borne. The industrious classes could never be properly represented in that House, until men who understood their interests should be enabled to sit there without ruining themselves by the expense. If the hon. Member for Middlesex brought forward a Motion to pay the Representatives of the people—say three guineas a day,—he would support it. He insisted that they ought to be paid, as the Representatives of the people of England, their proper wages by the people of England. The present matter which the hon. Member for Middlesex had brought forward was so very small that he could not endure to see the time of the House occupied with it. It was more suited to the discussions of a parish vestry than a great legislative body like the Commons of England. It was wrong thus to waste the valuable time of the House. If the Chancellor of the Exchequer was prepared to say that he would undertake to protect the vested interests of the parties concerned in these Resolutions he would support them; but if otherwise he should certainly vote against them. Those parties had embarked their lives—he would say they had obtained their situations for life, and they ought to receive ample compensation. Unless therefore he had the assurance he required from the Chancellor of the Exchequer he should vote against the Motion.

Colonel *Sibthorp:* Whether the hon. Member for Middlesex gave him leave or not, he would take leave to remunerate any one of these officers, even if the Resolution were passed.

The House divided—Ayes 171; Noes 93; Majority 78.

List of the NOES.

Agnew, Sir A.
Alsager Captain
Angerstein, J.
Archdall, M.
Attwood, T.
Bailey, J.
Baillie, Col. H.
Balfour, T.
Bannerman, A.
Baring, T.
Blackstone, W. S.
Borthwick, P.
Bowes, J.
Brownrigg, J. S.
Buller, Sir J. Y.
Burrell, Sir C.
Buxton, T. F.
Campbell, W. F.
Chisholm, A. W.
Cole, Lord
Compton, H. C.
Conolly Colonel
Darlington, Lord
D'Eyncourt, Right Hon. C.
Dillwyn, L. W.
Dottin, A. R.
Dowdeswell, W.
Eaton, R. J.
Elley, Sir J.
Elwes, J. P.
Fancourt, Major
Fergusson, C.
Ferguson, G.
Fielden, J.
Fleming, J.
French, F.
Freshfield, J. W.
Geary, Sir W. R. P.
Goulburn, Sergeant
Goulburn, Rt. Hn. H.
Grimston, Viscount
Gully, J.
Halford, H.
Hanmer, H.
Hardy, J.
Hawkes, T.
Hindley, C.
Hobhouse, Sir J.
Hogg, J. W.
Hope, J.
Hotham, Lord
Hoy, J. B.
Humphery, J.
Hutt, W.
Irton, S.
Johnstone, A.
Johnstone, H.
Kearsley, J. H.
Knatchbull, Sir E.
Knight, G.
Knightly, Sir C.
Lawson, A.
Lees, J. F.

Lefroy, J.
Lincoln, Earl
Lucas, E.
Maunsell, T. P.
M'Lean, D.
Mordaunt, Sir J.
O'Connor, D.
O'Ferrall, M.
Parker, M.
Pechell, Captain
Peel, E.
Perceval, Colonel
Pollock, Sir F.
Praed, M.
Price, G.
Richards, J.
Rickford, W.
Russell, Lord J.
Rushbrooke, R.
Ryle, J.
Sheldon, E. R. C.
Sibthorp, Colonel
Sinclair, Sir G.
Tennent, E.
Thomas, Colonel H.
Tyrell, Sir J.
Vere, Sir C. B.
Welby, G. E.
Whitmore, T. C.
Yorke, E.

COUNSEL FOR PRISONERS.] Mr. Ewart moved for leave to bring in a Bill to enable all prisoners to make a full defence by Counsel.

Sir *Eardley Wilmot* asked if the present Bill was intended to be the same as that one which was rejected by the House of Lords last year?

Mr. *Ewart* said, that the present Bill he intended should be in every respect the same as the Bill which passed that House last year.

Sir *Eardley Wilmot* believed the Bill of last year was carried by a majority of one in that House. But what had Lord Denman and Lord Brougham said of it? He did not mean to oppose the bringing in of the Bill, for there were many Clauses of it to which he should give his support; but he could not agree to the principle of allowing four speeches to Counsel in defence of a prisoner, and thus unnecessarily occupying so much of the time of the Court.

Mr. *Ewart* denied that the Bill of last Session gave the privilege of four speeches to Counsel: the utmost that would be necessary in most cases for Counsel would be to make two speeches; and even that would depend upon the course pursued by the prosecuting Counsel. He denied, also, that the Bill was only carried by a majority of one. The fact was, that the Bill was carried by a large majority, and it was only one Clause of it to which the majority of one applied. As the Bill had passed that House in the last Session, and in the Session before, it surely could not be said that he had not now a *locus standi.* The hon. Baronet was greatly out of order in alluding to any opinion given in another place by the two eminent persons he had named; but as that allusion had been made, he would take the opportunity of saying that he had yesterday spoken on the subject to one of those distinguished authorities, and that the opinion of that Judge was completely the contrary of what the hon. Baronet would seem to convey, and anything but opposed to the Bill. The other House of Parliament had never given any decision on the Bill, and how, therefore, could that House be quoted as an argument against it? It should be recollected, too, that the Bill had passed the House of Commons, notwithstanding the opposition of the Attorney-General.

Mr. *O'Connell* supposed it was not the intention of the hon. Baronet to divide the House in opposition to the bringing in of the Bill. He did not think the time occupied by Counsel in defending a prisoner should be at all considered. The old principle, that "wretches hung that Jurymen might dine," he hoped was long since exploded.

Leave given.

POOR LAWS (IRELAND.)] Sir *Richard Musgrave* rose to move for leave to bring in a Bill for the Relief of the Poor of Ireland in certain cases. A measure similar to that which he meant now to propose was brought under the consideration of the House last Session. He understood that there was no objection to it on the part of Government. Allusion was made in the Speech from the Throne to the state of the Irish Poor, and he believed that hon. Members had every possible desire to ameliorate their condition. The Commissioners for inquiring into the state of the Irish Poor had made a Report, in which it was stated that numbers perished daily in Ireland from destitution and want. Such being the case, he did not mean, notwithstanding the intimation given by Government upon the subject, to give up his intention of proposing some measure to the House. The Bill which he would ask leave to bring in was drawn up by a gentleman of great legal knowledge and experience. There could be no harm in introducing this Bill to the notice of the House, whatever might be the intentions of Ministers. When he introduced this subject last Session, Gentlemen were not generally so well acquainted with it as they were at present. The Report of the Irish Poor Commissioners was now before the House, and no document that was ever laid upon their table showed a greater amount of suffering, misery, and destitution. He would not detain the

House by reading any extracts from it. The medical part of the Report was, perhaps, the most important, because medical men had the best opportunities of witnessing, in the discharge of their professional duties, the extent and nature of the distresses and sufferings of the poor. The scenes they described were most melancholy and appalling. Indeed the wretched state of the poor could not be unknown to any person residing in Ireland. He himself lived in an atmosphere of misery, and being compelled to witness it daily, he was determined to pursue the subject to see whether any and what relief could be procured from Parliament. Suppose the whole population of Middlesex, of Kent, and Sussex were at one instant to be deprived of parochial relief, and turned out upon the highways to die, by hundreds, of starvation, that House would not hesitate a moment to adopt, not merely such a measure as he meant now to propose, but a much more effectual one. The poor of Ireland should not merely receive present relief, but means should be taken to secure future employment for able-bodied labourers. There were very ample means of affording employment there, by instituting a steady and vigorous course of improvement. The Report of the English Poor-law Commissioners was highly honourable to their judgment and industry, and the measure founded on it no less honorable to Ministers, but doubts were entertained whether a similar system of Poor-laws to that now acted upon in England could be beneficially extended to Ireland. A Poor-law here was of long standing; its operation, whether for good or evil, was well known; but it would not be so in Ireland. No person would propose for that country a system similar in all respects to that of England. The establishment of workhouses in Ireland would not be a benefit to that country, for great numbers of the Irish poor were drawn over here from the fear of absolute starvation. Some means should also be devised to give employment to able-bodied workmen. It appeared from the evidence on the state of the poor, that these persons were actually driven from home by starvation. If these distressed persons were offered admittance into a workhouse, they would accept this or any other mode of obtaining food. Before the experiment of workhouses was tried in Ireland, let the mode of carrying on public works be improved, and let other means be adopted in order to extend employment for the able-bodied. Last Session he ventured to introduce a Bill, by which public works would be extended, and this Session he had given notice for renewing that measure. The best practical engineers asserted that ample employment might be afforded by a proper extension of such works. Let something also be done to improve the distribution of landed property of Ireland. It was a fact that the occupiers of the soil, those who were to be considered as the people of Ireland, were prevented by the nature of their tenures from effecting permanent improvements. And this, after all, was the greatest evil of Ireland. In this respect Ireland differed from every country where the people were in a state of comfort and happiness. By the Bill before the House it was intended to provide relief for the helpless unable to work—and, on extraordinary occasions, for other classes also, by levying a rate in aid of subscriptions on such occasions. By the first Clause, the duty of executing the act was primarily to devolve on a Committee, who would have power, at discretion, to afford relief. This Committee was to consist of rate-payers, possessing a certain qualification described in the Bill. It had been thought necessary to attach a qualification, because, if all rate-payers were allowed to vote, many of the poorest class would have to decide on cases of their own relations who applied for relief. Seven Committee-men were required to constitute a Committee. At their first meeting, the Committee would have to divide the parish into sections, and was to appoint a sub-committee of management, assigning to each sub-committee-man the superintendence of one or more sections. In the appointment of the sub-committee a continued rotation was to be observed. One of the sub-committee was to be guardian, and another to be deputy-guardian of the poor, filling the office of Chairman at each meeting of the sub-committee. As he had mentioned, on a former occasion, the appointment of a superintendent for each section of a parish was found to answer admirably at Glasgow, as described by Dr. Chalmers in his evidence. This regulation was also successfully adopted in Ireland during the prevalence of the cholera. The sub-committee would have to draw up a list of the helpless poor, confining the list under that denomination, to aged persons above sixty, orphans under fourteen, the maimed, sick, blind, deaf, and dumb, lunatics and idiots. And in this roll were to be mentioned the age, birth-place, and other particulars relating to each person named therein, together with the amount of allowance required in each case. This statement and the roll of the poor was to be laid before the General Committee for their decision. The statement of the determination of the General Committee would then go before the Grand Jury of the county, by whom it might be altered on appeal. When a valuation had taken place, every party having paid rates, directly or indirectly, might, out of the rent next payable by him, make a deduction not exceeding three-fourths of the poundage on the annual rate thus payable as shall have been used for ascertaining the rates. If the Treasurer of the county stated in his warrant that a poundage of 1*s.* was to be levied, as rates, on the annual value—the occupier paying 1*s.* per pound, might deduct from his landlord's rent 9*d.* per pound of rent. This Clause was so drawn as to make every person having an interest in the land pay according to the amount of that interest. On occasions of extraordinary distress, such as prevailed last year in Mayo, he proposed to levy a rate equal to the amount of private subscriptions raised for the relief of the able-bodied. By another Clause power was also given to the General Committee to assist mendicity institutions, by levying rates on the parish. The Bill also proposed to give the Lord-lieutenant authority to unite parishes, on memorials being presented to him for that purpose. He had thus briefly explained to the House the principal Clauses of the Bill. Many Members might wish to proceed further, and to extend relief to other classes, by a compulsory law. He begged hon. Members to consider that the investigation which must take place under this Bill would prove beneficial not only to the helpless poor, but also to the other distressed persons. The hon. Member concluded by moving, that leave be given to bring in "a Bill to authorise the Relief of the Poor of Ireland in certain cases."

Mr. *Smith O'Brien* having paid a great deal of attention to the subject, was anxious to say a few words on that occasion. He had always felt that it was the duty of Government to take up this question, in order that it should be carried out to a satisfactory result; but from the nature of it he thought they should be ready to receive and consider suggestions with reference to it from all quarters. He was not prepared to offer anything that was probably new, but as he had prepared a Bill on the subject as well as his hon. Friend, he trusted the House would allow him to introduce it on a future occasion that it might be printed. He was gratified to hear the announcement in the King's Speech that his Majesty's Ministers had taken up the subject, and he trusted that they would prepare a measure that would afford adequate relief to the country.

Mr. *Shaw* said, that he felt all the importance and difficulty of the subject. He thought, however, as the Government had referred to it in the King's Speech, they should be prepared to state generally the course they meant to pursue. He did not mean that they should prematurely commit themselves to any specific plan, or go into any details; but they surely might inform the House whether they intended to introduce any measure at all during the present Session, and if so, upon what principle? For his own part, he did not desire to precipitate their decision upon a question involving the most serious consequences to Ireland. He could not see his way to the application of any system of Poor-laws to the peculiar condition and circumstances of that country, but he thought, as the Government had thrown upon themselves the great responsibility of dealing with the question, that individual Members should leave it in their hands.

The *Chancellor of the Exchequer* felt that the suggestion of the right hon. Gentleman was most extraordinary. It was the intention of his Majesty's Ministers to bring forward a measure on the subject, as they had already stated as strongly as possible, and in the most authoritative manner. Their views had been expressed as fully as they could be at present; but they could not enter into details. Indeed it would require more ingenuity than the right hon. Gentleman possessed to say how the Government could explain the nature of a measure to be founded on the Report of the Commissioners of Poor-laws, which Report had not yet been prepared.

Mr. *Young* (Cavan) hoped it was distinctly understood on all hands, that when the proposed bills were laid on the Table, neither the hon. Baronet nor the Member for Ennis, would attempt to press them on through any further stages, until such times as the Government measure was also laid before the House, and opportunity given for considering all the proposals on this important subject together. It certainly was full time for the Legislature to take the subject in hand, and, if possible, alleviate the sufferings which prevailed to such a dreadful extent in Ireland; but this step must be taken guardedly, and strict limits adopted, lest that which was intended for relief should only aggravate the evil.

Mr. *O'Connell* thought that his Majesty's Ministers had said all that could be required of them at present. He was satisfied that the period had at length come when some system of Poor-laws must be introduced into Ireland. There had, for some time, been a gradual and steady amelioration in the condition of the farmers of the agricultural districts of the West and South of Ireland; and this improvement had, to some extent, descended to the labouring classes. He therefore thought that it was the proper time to bring forward some measures. The system now beginning to be acted upon in this country worked well, and some plan of the kind might be devised to work well in Ireland; but the utmost care must be exercised that the management of it was such that local prejudices and abuses could be efficiently checked. A measure to afford relief to the destitute ought probably to be accompanied with some means to prevent the absorption of the bulk of the labouring part of the population into the pauper class. He would also make another suggestion, namely, that the Poor-law Commissioners should be allowed to allocate lands to labourers with families who were, of course, not so well prepared to emigrate. At the commencement some assistance must be afforded. By these means, however, he felt that they might so regulate the population of the country with reference to the employment of labour, that they need not consider it a frightful prospect to pass a measure for affording relief to the destitute poor of Ireland. He looked forward with anxious and sanguine hopes to the measures, for one would not be sufficient, likely to be introduced by the Government, and he had no doubt that every care would be taken to prevent any interference with wages, and also that such an extent of relief should not be given that the stimulus to exertion should be lessened.

Mr. *Scarlett* was surprised that his Majesty's Ministers were not prepared to state their opinions on the subject, when they had announced in the King's Speech that they intended to bring forward some measure. They ought not to have said anything on the subject until they were prepared to state what measures they meant to propose; did they mean to encourage or assist emigration? Was assistance to be afforded to remove a portion of unemployed labour from one district where there was not sufficient employment for it, to one where there was an adequate demand? A surplus quantity of labour in any spot would, of course, prevent any great improvement. He therefore would recommend the encouragement of the emigration of able-bodied labourers; but, as it was, the prospect of such an essential change as the introduction of Poor-laws into Ireland, without their nature being explained, was calculated to produce great excitement in that country. Great caution must be used in a country like Ireland, where every thing was so essentially different from what obtained in this country. He could not help feeling that the object in view in introducing such a measure was to injure the landlords; this might not be the case; but still he was not satisfied that it was not. He was ready to support any measure for the relief of the distress of the Irish poor; but he doubted whether this could be done advantageously by means of a system of Poor-laws, when he considered the anomalous state of the country.

Mr. *French*, although strongly opposed both to the principle and detail of this measure, did not mean to oppose the introduction of the Bill by his hon. Friend the Member for Waterford, understanding his object to be confined to the laying his views on this important subject before the House, and that this Bill would not be proceeded with further until the measure, whatever it might be, of his Majesty's Ministers, which had been alluded to in the King's Speech, should have been brought forward. He was, he acknowledged, hostile to the introduction of a system of compulsory relief into Ireland, believing it would prove prejudicial to the interests of all classes, from the highest to the lowest. They had already in that country adopted that portion of the English Poor-laws system, which appeared to them beneficial. Fever hospitals, infirmaries, lunatic asylums, dispensaries, schools, &c., had been established at the public expense, and was supported out of the county votes. Several voluntary associations, such as the mendicity, had been entered into; and every thing further which ought, on dispassionate inquiry, be deemed likely to ameliorate the condition of the working classes, he was confident the landed proprietors would willingly subject themselves to: he felt, however, that this was a subject of too much importance to be hastily legislated on—too complicated in all its relations to be understood by an individual Member; a false step here could not be recalled—its fatal effects would not be confined to the present, but would extend to the future: any measure introduced on a subject such as this, one which must exercise a powerful and permanent influence on the welfare of the country for good or for evil, ought not to be introduced save on the responsibility of the government of the country—a measure founded on the Report of the Poor-law Commissioners, the advantages of which would be apparent, neither embracing doubtful expedients, or experimental trials; after its introduction a sufficient time should be afforded for its consideration—let it be referred to a Committee of County Members without reference to their political views—let it be shown to them how the absence of machinery to carry its provisions into effect could be provided for; it was not, and he trusted it would not, be made a party question. The only object of all parties ought to be, should it be deemed advisable to legislate on this subject, to produce a measure, if possible, beneficial to a class hitherto much neglected, but certainly the most important in the community—the peasantry of Ireland.

Motion agreed to.

Disfranchisement of Stafford.] Mr. *Divett* moved for leave to bring in a Bill to disfranchise the borough of Stafford. He did not feel himself called upon to detain the House, as the delinquencies of this borough had occupied so much of their time in previous Sessions. The Bill had originally been introduced at the recommendation of a Select Committee, that had been appointed to inquire into the subject, and it had on three separate occasions passed through the House; but in consequence of the state of business in the other House it had not, on any occasion, been proceeded with.

Captain *Chetwynd* said, that after the almost unanimous expression of assent which the House had formerly given to the similar motion of his hon. Friend, he should not offer any arguments against it, but should avail himself of the practice of the House, in order, on the occasion of the second reading, to offer to the Bill his most strenuous opposition. He should at that time, in recapitulation of what he had offered to the House on a former occasion, renew his inquiry into the facts stated in the evidence, and bring forward arguments for the purpose of proving that there was not such a necessity for this Bill as some hon. Members supposed. But he should certainly take the sense of the House on the Motion for the second reading of the Bill.

Motion agreed to.

The issue of the writ for the Borough of Stafford to be suspended till the 21st of April.

The New Houses of Parliament.] The *Chancellor of the Exchequer* rose in pursuance of the notice which he had given, for the purpose of moving the renewal of the Committee, which had been appointed last year, to consider the question of rebuilding the Houses of Parliament. The House would remember, that in consequence of an Address agreed to by that and the other House of Parliament, Commissioners had been appointed to consider of certain plans which were invited to be sent in by public competition. That was a mode which he thought had been wisely recommended by the Committee. In consequence of their recommendation it was the duty of the Commissioners to select out of a stated number of plans, amounting to nearly 100, ninety-seven, he believed, was the exact amount, a certain number, not less than two, nor more than five, as being those which, in their minds, were best adapted and fitted for the purpose in view. They had selected, he believed, four plans. The object of renewing the Committee was for the purpose of the Commissioners laying the plans before them, with a view to their coming to some decision upon them. The

Report would then be finally laid before the House, in order that it might approve of the decision which had been made. His hon. Friend behind him had given a notice of a motion for an instruction to the Committee to reconsider the removal of the site of the Houses of Parliament. This, however, he (the Chancellor of the Exchequer) should feel it his duty to oppose, as that subject fell not within the province of the Committee. As to the composition of the Committee, he thought it better to renew it as it had been originally proposed by the right hon. Baronet, the Member for Tamworth. It had been well attended, and he thought the House would have a better chance of a satisfactory result if the inquiry were followed up by the same Gentlemen who had been engaged in the previous consideration of the subject. One Member of that Committee alone was no longer a Member of that House, having been removed to the House of Peers, and he proposed to substitute for his name that of the Chairman of Ways and Means, Mr. Bernal. The right hon. Gentleman accordingly moved to re-appoint the Select Committee, to consider and report upon such plan as should be most convenient for the accommodation of the two Houses of Parliament.

Mr. *Hume* was anxious to take the opinion of the House upon a point which appeared to him of considerable importance. The first question he had started as a Member of the Committee was, that they ought first to consider what the situation of the Houses should be. He was free to confess that on that occasion he was in a very small minority, but small minorities did not always deter him, and as a proof that they should not be considered as decisive of a question, he might mention he was in the very same minority on a proposition that there should be no competition for plans, and yet the Committee afterwards agreed unanimously to a competition. This was an encouragement to him in his present object. The only point he blamed himself for was his not taking the sense of the House upon the question when the Report was brought up. He was bound to say that he was not in his place at the moment when that occurred, although it was not often he was absent. Since that period the subject had engaged the attention of many persons in the country, who had never thought of it before, and he found that a large proportion of individuals, as capable of forming a judgment as any Gentleman in that House, thought the Select Committee had made a bad choice—that the situation was low, and was attended with many inconveniences, and that, in fixing a place for Parliament to assemble in for ages to come, regard ought to be had to all the peculiar circumstances applying to the case. One thing particularly struck him, that situated as we were in a climate not always the clearest, with an atmosphere dark and murky on many occasions, the Houses of Parliament would require a free and open space. In the neighbourhood of that large building, Westminster Abbey, they lost an hour or an hour and a half of daylight in comparison with what they would gain if they were at the west end of the Abbey. The vicinity of Westminster Hall, too, greatly interfered with the light and air. He did not go so far as to say that the neighbourhood of the Law Courts was bad, but he was free to confess that he would rather be at a distance from them. He knew it was held by many that the situation was convenient for those lawyers who had to attend the House; but looking at the small number of those Gentlemen compared with the other Members of the House, he did not think that their convenience ought to weigh much if there were other circumstances to counterbalance it. He might be accused of wishing for a radical change in this respect, because he would remove the Courts of Law from their present inconvenient situation. He would propose to build proper Courts in the centre of Lincoln's-Inn-Fields, in the vicinity of all the lawyers. Let them be all together. This would be much more convenient for the public and the lawyers themselves. He had scarcely ever seen such inadequate accommodation as the present Courts furnished; and although a great deal of money had been expended in fitting them up, he did not think that any loss would be sustained; but that, on the contrary, great public convenience would be obtained by getting rid of them altogether. Gentlemen would see from this that he reckoned the vicinity of Westminster Hall as very little in favour of the present House. They were not the least allied to each other. Judges and lawyers were very proper persons to carry into effect the Acts of the legislature; but they had no necessary connection with the daily proceedings of the Houses of Parliament. They were altogether distinct. He thought it would be better to remove the Houses of Parliament to St. James's Park, to some elevated situation, where, having a southern aspect, they might occupy the position of Marlborough House, or of St. James's Palace. Let Gentlemen contrast the present buildings on an area of about 4,000 feet in length, and some 340 in depth, with the Abbey and the Hall overlooking them. Let them contrast this with a handsome building on the site of St. James's Palace, or on the two or three acres of Marlborough House and gardens. They would be there as quiet as in the present situation; with the advantages of better air and more light. The position would also be more convenient to five-sixths of the Members as well as to the public. At present the Houses were out of every one's way. There was another situation which had been pointed out, and which, he confessed, would have been a better situation, if the building of the National Gallery had not been begun; but at the back of that building they might have twice the room they now had if they removed the barracks, which had so long been complained of, and took in some ground, which could be had at a little or no expense. That would certainly be a better and more convenient situation than the present. Here, then, were two situations better than the present site; but his favourite spot was St. James's Palace, and he would state why. We had just finished the palace at Buckingham-gate, and if St. James's were not used in the way he proposed, it would still be used as a palace. He thought, therefore they could not do better, for the sake of economy, as well as for good air and the situation of the ground, than to occupy it. The ground required was not so very large. He had seen plans which required for the whole buildings of the Houses and their offices a very small compass indeed. He should be happy to hear the opinion of the House, and to have it decided whether they should not take this point into consideration before they proceeded to consider the other parts of the subject. He might be told that they had already gone to a great deal of trouble and expense. As to the trouble, with the experience of the architects, he considered that very little; and for the expense he believed 3,000*l* would cover it. He was anxious that all further expense should be stopped until this question was decided, and one advantage would arise—namely, that time would be afforded to those architects who wished to come forward with plans. He knew of no valid objection to his proposal, except two. One was on the ground of the old associations connected with the place in which the Parliament had so long sat. He believed, however, that the fire had destroyed a great deal of those associations, so that that objection was not good for much; and with regard to the vicinity of the Courts of Law, he hoped he had said enough to show that that ought not to interfere from the comparatively small number of those who were interested in it. He knew that many others took the same view of the subject as he did, and he was unwilling to detain the House longer than by moving that it be an instruction to the Committee to reconsider the removal of the site of both Houses of Parliament.

The *Chancellor of the Exchequer* rose, as he had already said he should, for the purpose of entreating the House to resist the proposition of his hon. Friend. He wished in a few words, to lay the actual facts of the case before the House. His hon. Friend had stated that a Committee had been appointed for the purpose of considering the whole question. That Committee certainly was not to be objected to either for the names of which it was composed or for the ability or the means they possessed of discussing the subject. When it was before them they negatived this proposition after a full consideration of it. But his hon. Friend said, that, having been in a minority, he regretted not having taken the opinion of the House on the point. Why, in fact, the opinion of the House was taken, and that in a manner more authoritative than the mere reception of a Report, because as soon as the Report was laid on the Table, and when they came to the estimates, he (the Chancellor of the Exchequer) was pressed most earnestly to lose no time in carrying into effect the recommendations of the Committee with reference to the situation of the two Houses before any plans were received, or other steps taken. Since then Gentlemen on all sides of the House had entreated him to take a vote in a Committee of Supply, in order to carry on the necessary arrangements, and he was entitled to presume that his hon. Friend was present on those occasions, because they were occasions upon which he was never absent. He was, as he had stated, entreated to take a vote, for the express purpose of enabling him to take all the preliminary steps with reference to the subject. He accordingly prepared an estimate. The money was voted—Houses were taken down, and the work of clearing away was commenced. His hon. Friend was a consenting party to that proposition, which it was now proposed to negative; because when there was a proposition for the purchase of land in Abingdon-street, and when he proposed to take as much as would be necessary, his hon. Friend assented and said, take as much as will enable you to purchase the ground in Abingdon-street. You must not let money stop you in this case." So that after the site had been decided upon, and his hon. Friend had supported a proposition for rebuilding the Houses on the old site, he now wished to depart from it. Perhaps the reason of this inconsistency was simply that the hon. Member wished to claim the privilege of his northern brethren — a second *site*—but this would not have any magical effect upon the House. The case did not rest simply upon a vote of the Commons, but it was a combined movement of both Houses. The Resolution of the Lords had been communicated to that House, and their Resolution had been communicated to the Lords, and both had adopted the same plan with respect to the situation. The whole of the plans had been called for with reference to the present site. His hon. Friend said, very candidly, that all that had been done would be so much money thrown away with reference to building the Houses of Parliament, if his present proposition were agreed to; but he said that it would be attended with other advantages—that it would be an encouragement to architects. He (the Chancellor of the Exchequer) thought the selection of a proper position for the Houses of Parliament a point infinitely more important than any such encouragement to architects. His hon. Friend had very large plans, and he had opened them all before the House. They embraced not only the quitting that spot, but also building the Law Courts in the centre of Lincoln's Inn-Fields, and building the Houses of Parliament in the Mews, where he thought his hon. Friend would be puzzled to find freer air and freer access than they had at present. He therefore, trusted that the House would not be induced to depart from the Resolutions of the Committee.

Sir *Frederick Pollock* would not have troubled the House on the subject before it, had not reference been made by the hon. Member for Middlesex to the circumstance of consulting the convenience of the members of the profession to which he (Sir Frederick Pollock) had the honour to belong. He could say for himself, and he thought also for the other members of the bar who had seats in that House, that it was a matter of perfect indifference to them whether the new Houses of Parliament were built in the neighbourhood of Westminster Hall or where St. James's Palace now stands. Quite sure he was that the members of the bar would be the last persons to go against the general feeling of the House. It would be no sacrifice to him if the site were changed, but a matter of absolute indifference. It must also be recollected, when it was used as an argument that the consulting of the convenience of the members of the learned profession was one of the reasons for determining on rebuilding on the old site, that the sittings of the Courts at Westminster Hall were not continuous during the whole period of the Session, but only during Term. The different Courts of Equity during the other portions of the year held their sittings in the neighbourhood of Lincoln's Inn; and the Court in which his practice laid held a great part of its sittings at the other end of the town, in the immediate neighbourhood of the Guildhall of the City of London. Having said thus much as regarded the members of the bar, he would refer to another class of professional persons—namely, attorneys, to whom he believed the proximity of the Courts of Law to the Houses of Parliament was a matter of great importance. When the House of Lords was sitting in its judicial capacity, and when Committees of both Houses were also sitting, it was a matter of great importance to the members of the profession to which he referred, that the places where their business required them to be present, should not be severed. As to professional men, Members of the House, he need hardly remark, that none of them could practise before Committees of the House.

Mr. *Kearsley* said, that after what had fallen from the right hon. the Chancellor of the Exchequer, in reply to the hon. Member for Middlesex, it must be evident to every one that the observations of the hon. Member were nothing but humbug—sheer humbug. With the pretensions of that hon. Member, on all occasions, to a peculiar desire for economy, he must say that when the hon. Member talked about the loss of 3,000*l.* being a matter of no importance he certainly was not acting an honest part. [*" Oh! oh!" " Chair!" and laughter.*]

The *Speaker* said, that the hon. Member must be aware that it was not right for him to apply to any other hon. Member the terms of which he had just made use.

Mr. *Kearsley*—I cannot speak differently from what I think.

The *Speaker*—The language made use of by the hon. Member is not such as ought to be heard within the walls of this House. I feel that it is my duty to interpose, and submit it to the judgment of the House, whether or not such language should be allowed. The hon. Member has imputed dishonesty to another hon. Member, and that certainly is not a term fit to be used here.

Mr. *Kearsley*—I trust I shall be permitted to say, that I think that if I had acted as the hon. Member for Middlesex has done, I should not have been acting an honest part. [*Cries of Chair! chair!*]

The *Speaker*—Am I to understand that the hon. Member means to retract the expression of which he has made use?

Mr. *Kearsley*—" I cannot say what I don't think." [*Loud calls of Chair!*]

Mr. *Thomas Attwood* observed, that if the hon. Member had used unparliamentary language, he was quite sure that the hon. Member had meant nothing towards the hon. Member for Middlesex personally, although the word " unfair" might have been used as applied to the course of conduct pursued without any infringement on the rules of Parliamentary procedure. The phrase used by the hon. Member was certainly one not fit for the society of Gentlemen, and he hoped that an explanation would be afforded.

Mr. *Kearsley*—My remark was intended to apply to the argument of the hon. Member, and not to himself. I know very well the point I wanted to come at, and did not want the Birmingham bridge to carry me safe over.

Mr. *Thomas Attwood* was very happy that the discussion had passed off in this pleasant and convivial manner. With respect to the subject under discussion, he (Mr. Attwood) said that he was opposed to the motion of the hon. Member for Middlesex, because he thought that the historical associations of six hundred years ought not to be disregarded in the choice of a situation for the new Houses of Parliament, nor that any unnecessary departure should be made from a spot so intimately connected with the liberties of the people of England as the present. The Houses of Parliament had stood on their present site for nearly six hundred years, and he hoped they would stand on it for six hundred years to come.

Lord *Robert Grosvenor* agreed with the hon. Member for Middlesex, that the present site of the Houses of Parliament was extremely inconvenient, and he thought great advantage would be derived from the erection of the new Houses in one of the situations pointed out by the hon. Member. Looking at the list of hon. Members' residences, it was perfectly clear that the present position of the Houses was, to nineteen Members out of twenty, altogether out of the way and inconvenient. The free circulation of air was a matter of the utmost importance in a city like this, and nothing could offer greater obstruction to the circulation of air than erecting a lofty building on the banks of a river such as the Thames, in a neighbourhood so choked up with houses as that part of Westminster was. The original intention was that Westminster Abbey should open to the River; and for his part he should prefer seeing that done, with the removal of St. Margaret's Church, which was almost an eye-sore, and the restoration of St. Stephen's Chapel, to having the new Houses of Parliament erected on the present site. Another situation might easily be chosen for the purpose, which would not be liable to the same objection, and he must say that they should not be deterred from placing a building intended for national purposes in a position which would be free from all defects, merely because of the trifling additional outlay of money which it might entail.

Sir *Robert Peel* said, that unless some satisfactory and conclusive reason could be given for adopting the proposal of the hon. Member for Middlesex, it would be of importance to adhere to the decision which the House had already come to. Only last Session this matter had been referred to a competent tribunal, who had considered this particular point, and by a majority of seventeen had determined to adhere to the existing site. In consequence of that decision, all the architects of this country had been invited in free competition to send in plans: of those sent in four had been selected, and the artists had received the rewards proposed. Having taken this course, it did appear that unless some cogent reason were given for departing from their decision, it ought to be adhered to. The plans sent in might be of little or no value if the site were changed, for they were all drawn in reference to the existing site. No cogent reason having, in his opinion, been adduced, the House should adhere to their former resolutions. It was not much his habit to cheer the hon. Member for Birmingham, but on this occasion he very cordially applauded the sentiment which had induced him to advocate the retention of a site with which were associated many of our most glorious historical associations. It was not a mere difference of prejudices, but he thought it would always be a satisfaction to the feelings of the English people to know the site of the ancient Palace of Westminster, and where the British Parliament had for so long a time sat. Let them just consider the weight of the argument of the hon. Member for Middlesex. The hon. Gentleman said, that by erecting a large building in the present situation they would intercept the air, and lose an hour's light every evening; but what was the hon. Member's proposition? Why, that the new Houses of Parliament should be placed in the rear of the National Gallery, with that building to the south. The hon. Gentleman proposed to benefit them in point of air; but he must be permitted to doubt whether placing them in the mews, behind the National Gallery, would be any improvement. But the hon. Gentleman complained that the present situation was unhealthy. Had it ever been found so? He did not think it had; and what was more, he did not believe that the history of the plague, the cholera, or any other of those contagious diseases which had visited this metropolis, furnished any authority for supposing that the banks of the river were unhealthy. It was said that the currents of the air induced by the tide were healthy, and if so, why should not Members of Parliament have the advantage of it? Another objection was, that the Houses of Parliament were too remote from the residences of the Members; but, instead of regarding that as an objection, he considered it as an advantage, inasmuch as it not only insured them exercise, but the House an attendance, which, in all probability, could not be obtained if their residences were at hand. It was also said, that the House was too far removed from what Dr. Johnson called that "great confluence of human existence," Charing-cross; but he much doubted whether there was not an advantage in being removed a little from so great a channel. They were not far out of the way; and he thought it better, perhaps, to be situated where they were than to be nearer. It appeared to him that if in other respects, the advantages were nearly balanced, some consideration was due to the habits of the people with reference to the present site, and also to the property invested in the immediate vicinity. If, as a consequence of adopting the recommendation of the hon. Member for Middlesex, they were to pull down St. Margaret's church, and to build new courts in Lincoln's Inn-fields, unless some particular advantage were thus to be secured, considerations of economy would rather induce them to maintain things as they were. He thought it one important recommendation of the present situation, that it enabled the election Committees, which were appointed after a general election, to obtain the assistance of the most eminent members of the legal profession.

Mr. *Hawes* was rather averse to having the site altered. It appeared to him that all the plans laid before the Committee ought to be submitted to public inspection, and that his Majesty's Government ought to afford facilities for such an exhibition. The artists whose plans had not been adopted were, he believed, desirous of an opportunity of exhibiting their works, but he thought the public should be allowed to inspect also the plans which had been selected. The estimated cost to the artists of the ninety-seven plans sent in, was not less than 25,000*l.*

Mr. *Roebuck* supported the Amendment. The right hon. Baronet had remarked that one hon. Gentleman complained of the present site as low and unhealthy, while another had urged that from the river there was a current of fresh air, which, instead of being obstructed by high buildings, as at present, ought to be allowed to circulate through the town. There was, however, no inconsistency in their arguments. When a site was below a certain level, a current of air might blow over it, and be exceedingly beneficial to more remote parts of the town, while the site itself remained very unhealthy. A reference had been made to history, but he thought there was not much in the historical recollections connected with this site to endear it to the people of England.

Mr. *Ewart* said, the question was, which was the best situation? He should say that the present was not the best, because the whole neighbourhood was choked up with houses. St. James's being free from this objection, he thought it the more eligible position. He was of opinion that they ought not to hesitate to reconsider the subject merely because the plans had been sent in.

The House divided—on the original motion Ayes 141; Noes 42; Majority 99.

List of the NOES.

Acheson, Lord
Aglionby, H. A.
Baldwin, Dr.
Bateson, Sir R.
Bish, T.
Bowring, Dr.
Brocklehurst, J.
Brotherton, J.
Buckingham, J. S.
Dillwyn, L.
Fector, J.
Gillon, W. D.
Glynne, Sir S.
Grosvenor, L. R.
Grote, G.
Handley, H.
Hindley, C.
King, E.
Lennox, Lord A.
Lennox, Lord G.
Marshall, W.
North, F.
O'Brien, W. S.
O'Brien, C.
Oliphant, L.
Pattison, J.
Pease, J.
Potter, R.
Pryse, P.
Roche, D.
Roebuck, J. A.
Scholefield, J.
Strutt, E.
Thompson, T. P.
Thompson, B.
Tulk, C. A.
Verney, Sir H.
Wakley, T.
Wallace, R.
Wigney, I.
Williams, W.
Williams, Sir T.

TELLERS.

Hume, J.
Ewart, W.

HOUSE OF LORDS,

Wednesday, February 10, 1836.

MINUTES.] Petitions presented. By the Earl of BROWNLOW, from the Agricultural Society of East Suffolk, Complaining of Distress; and from the Justices of Peace of the Quarter Sessions of Lindsay, for more Adequate Provision for the Apprehension of Offenders.

HOUSE OF COMMONS,

Wednesday, February 10, 1836.

MINUTES.] Petitions presented. By Lord GEORGE LENNOX, from Brighton, in favour of a Railway from that Town to London.—By Mr. SHAW LEFEVRE, from Alston, for an Extension of Time for the Repayment of the Sums appropriated for Building Workhouses to 20 years.—By Lord A. CONYNGHAM, from the Mayor and Burgesses of Canterbury, in favour of Mr. Buckingham's Claims.—By Mr. G. EVANS, from Swords, for the total Abolition of Tithes.—By Mr. RUSHBROOK, from the West Suffolk Agricultural Society, for Relief.

HOUSE OF LORDS,

Thursday, February 11, 1836.

MINUTES.] Bill. Read a third time:—Capital Punishments' Amendment.

Petitions presented. By Lord WYNFORD, from the County of Lincoln, for an Inquiry into the Causes of Agricultural Distress.

NATIONAL EDUCATION—(IRELAND.)] The Earl of *Roden* was extremely anxious to avail himself of the earliest opportunity which offered itself in the present Session of putting certain questions as a prelude to the introduction of a subject which, in his estimation, was a most important one, and involved in its results the most vital interests of society. The best manner in which he conceived he could introduce the subject to their Lordships, was by putting certain questions to his Majesty's Ministers. He had to apologize to the noble Marquess opposite (Lansdowne) for selecting him as the person through whom to put those questions; but when he remembered the deep interest which the noble Marquess had always taken in the subject of Irish education he felt he could not make a better selection; and though he had the misfortune to differ from the noble Marquess in the conclusions to which they came upon the subject, still he had to thank the noble Marquess for the courtesy which he always exhibited in discussing the subject, and to admit that the noble Marquess had been ever most ready to furnish every information, for which he (the Earl of Roden) tendered his sincerest acknowledgment. Their Lordships would remember that early in the last Session, when his (the Earl of Roden's) friends sat on the opposite side of the House, he felt it his duty to move for the production of certain papers connected with the subject of national education in Ireland, which he then and now believed to be of the utmost importance to enable him to form a full and impartial judgment upon the subject. He had waited during the whole Session, and yet, notwithstanding his anxiety upon the subject, he could not, during the entire period, procure those papers to be laid upon the Table of the House. He had felt it his duty more than once to urge the Ministry, towards the close of the Session, to procure those returns from the Commissioners; and it would be in the recollection of their Lordships, that the noble Marquess had stated in his place that it was with the greatest satisfaction he laid the Papers on the Table; but their Lordships must also remember that the noble Marquess further added there was one paper which he regretted it was not in his power to produce, the Commissioners not being able to furnish it. That paper was one with which more thanany other, he was desirous to be furnished, as it was the one which was the most important to him in putting forward his arguments on this subject. The paper to which he alluded was a return of the names of the children attending the schools, with a statement distinguishing the religion of each child. It was a point of the utmost importance to have such a document, as upon it he should found the principal part of his argument. He was satisfied that the system of National Education in Ireland never would be adapted to the feelings, the principles, and the wants of the Protestant population of that country. There must be some reason for wishing to withhold this important document. He did not wish to pronounce a censure against any person, but the Commissioners ought to have produced the document. There could be no difficulty in procuring such a document, inasmuch as one day during every week the scholars were separated from each other for the purposes of religious instruction. He again must repeat, that under those circumstances, and seeing how easily the document could be obtained, there must be some motive unknown to the House, unknown perhaps, to the noble Lords opposite, but certainly well known to the Commissioners, why, up to the present hour, the document was so pertinaciously withheld. One of the questions which he wished to put to the noble Marquess was with reference to this subject. There was another question also to which he was anxious to have an answer. Since the House had met, the second Report of the Commissioners of Irish Education had been laid on the Table of the House. He held it in his hand, but in referring to it, it was not his intention to enter into any discussion, as an opportunity would soon be afforded of opening up the whole subject. There were, however, one or two points in the Report to which he was desirous of calling their Lordships' attention. The Report, after stating the great success which the new institution had met with in Ireland, by the union of so many persons of all classes of his Majesty's subjects, proceeded to set forth, that "the Commissioners may safely conclude, that the new system of education has proved generally beneficial, and acceptable to Protestants and Roman Catholics, according to their respective calling." That assertion, however, he would take the liberty of denying. The Commissioners further said, "That though, from a misapprehension of the rule on which the system is founded, it originally met with much opposition, yet it has succeeded beyond our highest expectation, and reasonable men of all parties are daily manifesting their approbation of it." It was his happiness and his privilege to live in Ireland, amongst people of all classes, and he trusted that he was in the habit of meeting with reasonable men. Now, he should like to know where those reasonable men were to be found of whom these Commissioners had spoken in their Report. He should be glad to argue the case with them in a reasonable manner; and if they could convince him that the system now adopted was suited to the wants of the Protestants of Ireland, and was worthy of the support of a Protestant country, as well for the benefit of Protestants as of Roman Catholics, then he would unite with those reasonable men, and give up all further opposition. He felt the greatest respect for those Commissioners, and for none more than for the noble Duke opposite; but he entirely differed from them when he looked at the conclusion to which they had come. From the situation in which he was placed—from the anxiety which he had always felt for the proper education of the people—from the conviction he had ever entertained that his was one of the most important subjects that could be debated within the walls of their Lordships' House, he conceived that he was as capable as any of these Commissioners of forming a just judgment as to what were the feelings of the resident gentlemen of Ireland on this difficult question. The Report proceeded to recommend the system in the strongest terms, and called for a very large expenditure of the public money to support permanently the new system of education. He believed that the country was little aware of that fact, and he believed that many of those who now heard him knew nothing about it. What did the Commissioners say? They state, "We come now to consider the number of schools that will be wanting, and we are of opinion that 5,000 National Schools should be established, each to be placed under a competent teacher. It will take about nine years to establish that number, and the expense will necessarily vary from year to year." They then gave a table of the expense that would be incurred in the first nine years, which he would read to their Lordships. The first year would require 47,224*l.*; the second, 134,324*l.*; the third, 230,900*l.*; the fourth, 259,400*l.*; the fifth, 290,400*l.*; the sixth, 324,900*l.*; the seventh, 224,400*l.*; the eighth, 216,900*l.*; and the ninth, 215,400*l.*" And then the Commissioners add, that after this period of nine years, the building of school houses would cease to be an annual charge, and that the annual expenditure for maintaining the system would be about 200,000*l.* This enormous sum they would be called on to pay for the purpose of upholding a system which he was convinced would be the cause of great mischief and misery in the country. He was not vain enough to suppose that anything which he could say or suggest on the subject, was likely to alter the opinion which Ministers had formed with reference to this question, and to which, doubtless, they conceived it to be their duty to adhere. But knowing, as he did, the opinions of the great mass of the people of this country, of Scotland, and of Ireland, having loaded the Table of the House with petitions against this measure, he could not but feel it to be his imperative duty to take this the earliest opportunity of entering his protest against this system, and against this Report. He certainly should conceive himself to be guilty of a great dereliction of a solemn duty, if he did not openly state his views and feelings on this subject. It was not necessary that he should vindicate himself on account of the course which he had adopted. He was not actuated by any party or personal views or feelings. His great object was to support what he conceived to be the best interests of the country. He had from the beginning opposed this system, and he opposed it still, because he believed that those who brought it forward had entirely miscalculated the benefit which it was likely to produce. He always was of opinion, that it never could be adopted as a general system of education in Ireland. After three years of trial —after three years of experience—it had completely failed in its object. It was proved to be totally unsuited to the population of Ireland. It was a system that would enable the priests to keep down and tyrannize over the Roman Catholic population—it was a system that would have the effect of stopping the Scriptural education of the people of Ireland—it was a system that would prevent the circulation of that Holy Book, which, previous to the introduction of this plan of national education had made very considerable progress. In short, it would produce a famine of the Word of God in the land, which was the greatest curse that could be inflicted on a country. He had attentively read the history of his country, and he had found it there stated, that, when Protestant principles were upheld, and properly regarded by those who had the management of public affairs, then this country was respected abroad, and enjoyed peace and tranquillity at home. And he had also read in the same history, that when, on the other hand, Protestant principles were sacrificed by a Protestant Government at the shrine of political expediency, then it was found that this country was looked down upon with contempt by the surrounding nations, and neither peace nor security dwelt within her own bounds. He therefore raised his voice in their Lordships' House against this system, and he would warn noble Lords opposite to consider seriously the course of conduct which they were pursuing, which in his mind was morally and politically erroneous, with respect to Ireland. It would, if persevered in, reduce that country to a worse state than she had ever before been placed in, since it manifestly would in the end have the effect of denying toleration to the Protestant faith. The great point for Ireland was, to extend Scriptural education to the rising generation of Ireland. That species of education had been advancing, perhaps imperceptibly, but without a doubt surely, until this new system was introduced. The Statesman who overlooked this great principle as the proper means of upholding the best interests of the country, was supporting himself in his own melancholy delusion. But he hoped the Protestant people of England and Scotland would take the subject into their serious consideration, and would use every means in their power, by addressing their Lordships in numerous petitions, to show that they were not amongst the number of those reasonable men who were spoken of by the Commissioners as having changed their minds on the vital subject of Scriptural education. The questions he had to put were these—whether the noble Marquess would be so kind as to add means for laying on their Lordships' Table those papers moved for last year, respecting the number of children who attend those schools, distinguishing their religious profession; and whether it was the intention of his Majesty's Government to adopt the suggestion contained in the Report, and to grant the sum of money yearly which the Commissioners proposed?

The Marquess of *Lansdowne* hoped that he should be able to satisfy the noble Earl on the two points to which his questions referred. The noble Earl only did him justice when he supposed that he was ready to furnish such authentic information as the noble Lord required, either to satisfy his natural curiosity, as a Member of that House, or upon which to found an argument in support of his opinions. With respect to the first question, he had to remind their Lordships, that towards the close of the last Session, when he called their Lordships' attention to the documents which he laid upon the Table from the Commissioners of Public Instruction in Ireland, he remarked upon the fact, that although the information in the Reports was abundant and accurate, still the particular answer to the first question of the noble Earl was not given. He could not answer that question then, neither could he answer it now. He should say in a few words why it was not in his power, or in that of any other person in any department of the Government, to produce the information required by the noble Earl. In order to satisfy the noble Earl, he had endeavoured to make himself acquainted with the objection which was made against instituting such an inquiry as he wished for, and he found that it was completely impossible to procure the information sought by the noble Earl with any fair degree of accuracy. The Commissioners were appointed to administer a certain system of education—a system of education which included Protestant and Catholic, and the great merit of which was, that it provided for each description of scholars, without making any distinction on the score of religion. Now, the Commissioners engaged in that special work, and acting under that particular rule, felt that they were not called on to make that particular return to which the noble Earl had referred. They conceived, that to make such a return would be to invest themselves with functions not only alien to, but inconsistent with, the views which they had been directed to carry into effect. Their functions were, to administer this system of education to all children, to administer it according to a certain rule, which applied equally to Catholics and Protestants; and they felt that if, in compliance with any desire to institute this species of inquisition, to state what children were Protestants and what Catholics, they proceeded to make such a classification, they would be introducing and renewing those very distinctions which they were directed to avoid. There were circumstances under which they might possibly have made an imperfect return, if they had proceeded on the rules originally laid down—one of these rules being, that Protestant and Catholic children should be compelled to attend divine service where they were educated. If that rule had been enforced, it would have enabled the Commissioners to make something like an accurate return. That rule was, however, speedily abandoned. Individuals who held sincere religious and moral opinions objected against using compulsion to make children attend. That very important part of education did not come under the jurisdiction of the Commissioners. There were certain days in the week when the Protestant clergyman had the right, and he wished that they oftener exercised it, of giving religious instruction to those of the children attending the schools who belonged to his congregation, and on other days the Catholic priest had the same liberty with respect to those who professed his faith; but the master, acting under the Commissioners, had no power to make any inquiry upon the subject. It was, therefore, impossible for the Commissioners to make such a return as the noble Earl called for. If the noble Earl was desirous of founding an argument on the proportion of Protestants, as compared with Catholics, who attended those schools, he was at liberty to do so, and it would be admitted on the

the Ministerial side of the House. They all knew the enormous preponderance of the Roman Catholic over the Protestant population, particularly amongst the lower orders, for whom this system of education was especially intended; and of course the number of Catholics who received education at these schools would be far greater than the number of Protestants. To say, however, that Protestant children derived no benefit at all from those schools was manifestly incorrect. In different parts of the country many Protestant children were educated at those schools; and if the noble Earl would look at the Report, he would find that in the province of Ulster, the most Protestant portion of Ireland, applications for the establishment of new schools had been signed by 260 Protestant clergymen. This showed that the system had been beneficial. The noble Earl's second question had reference to a much more extended scale of education, as he found the suggestion detailed in the Report. A particular instruction had been given to those Commissioners, to report as to the extent to which it was possible to carry this system of education throughout the whole country. A sum was mentioned by them which undoubtedly Parliament would not think of granting without the most mature examination, and the most minute attention to the subject in all its branches. It was to be remembered, however, that the suggestion had not yet been taken into consideration. The proposition had not yet been brought before Parliament, but that the estimate was inserted in the Report because it was always important that such information should be in the possession of Parliament. He was not prepared to state that any intention had been formed by the Government of proposing to Parliament any such scale of expenditure as that laid down in the Report, but he had no hesitation in saying, such was his conviction of the benefit which this system was producing at the present moment, that he trusted from some source or other, funds would be raised, at no distant period, for carrying the plan into the most extensive effect. He sincerely hoped that Parliament would be induced to extend the funds which had been applied to the important object of educating and civilizing the lower classes of the people, and of reconciling by that means the different portions of the population to each other. The noble Earl said, he did not know of any benefit arising from this system. Why, the noble Earl would find that at this moment, restricted and narrowed as the operation of the system was, not less than 200,000 children were in the course of receiving practical education under it. That system of education was founded on the suggestion contained in the Report of 1812, subscribed to which he found the names of all the most distinguished Prelates of that day in Ireland. He would read one paragraph, which would show how consistently the Commissioners were carrying the suggestion of those reverend personages into effect. In page 65 of that Report it was set forth, "that selections might be made on which the most important parts of Scripture history should be included, together with all the precepts of morality, and instructive examples by which those precepts were illustrated and enforced, and which would not be subject to the objections that had been made against the use of the whole Scriptures." The Commissioners stated further, "that such a volume of extracts from the sacred writings would in their opinion form the best preparation for that more extended and particular religious instruction which it would be the duty, and he doubted not the inclination also, of the several ministers of religion to give at proper times and in proper places to the children of their respective districts." To this he found signed "William Armagh; Charles Cashel; James Killala; and J. L. Foster. He could not believe that the attempt to carry into effect the principle recommended by such high authorities would be attended with other than beneficial results. In a country without roads, with large bogs and rivers, and where much was to be encountered in endeavouring to procure education, a great improvement had taken place. No person could now travel in Ireland without seeing the great reform it had worked in the moral and religious feelings of the people. The system was placed in an intelligible shape, and provided for in a manner which ensured to that remote and miserable population the blessings of that species of education which all those Learned Prelates, twelve or sixteen years ago, pointed out as that which might be applicable to the whole population of Ireland. This was a blessing which he hoped Parliament would endeavour to impart to all the country; and although he was not prepared to go the length of adopting the system of the Commissioners to the extent to which it might be carried, yet he would state to the House and the country that he was prepared to give still further effect to that which he considered was the greatest of all possible blessings. He was sorry he was not able to give the noble Earl opposite more full or authentic information.

The Bishop of *Exeter*, although there was no question before the House, would, with their Lordships' permission, trespass for a short time upon their attention. He had listened to the noble Marquess, as he always did listen to him, with the greatest attention and respect. He felt satisfied that what the noble Marquess had said he said with the utmost candour, and he believed it was the sincere desire of the noble Marquess to endeavour to promote the best interests of the country by supporting the system of National Education in Ireland. He believed too that it was with the utmost sincerity that the noble Marquess expressed the wish that he had it in his power to give the noble Earl the fullest possible information on the subject of his inquiries; he must have this wish, being, as he was, a friend to the system of national education, and therefore he would put it to the noble Marquess whether great doubts were not likely to be raised by so long and so stubborn a silence on a question of such cardinal importance as that asked by the noble Earl? He called it cardinal, because if there was not a due proportion of Protestants educated under the system, that system could not be considered to have been successful. Upon this hinge the whole merits of the question turned, and therefore it was, that the friends of the system of education now at work in Ireland should be most anxious to answer it. The responsibility of returning the required answer rested with tenfold weight upon the Commissioners themselves. But the Commissioners had remained silent upon this point, and why had they done so? because they knew that there was no fit and due proportion between the number of Protestant and Roman Catholic children who partook of the benefits of the national system. If the Commissioners were not actually required to make this inquiry, there was nothing in the instructions given to them which prevented them doing so. On the contrary; as the noble Marquess, with that candour which distinguished him, had informed the House, if the original instructions had been acted upon according to the rule laid down by Mr. Stanley in his instructions to the Duke of Leinster, the first Commissioner, the information sought would have been obtained. It seemed the more surprising that the Commissioners should assert—First, that they would not answer this inquiry, when it was recollected that in the papers published last year, being the correspondence between Sir Henry Hardinge and the Board of Education in Ireland, the Commissioners asserted that it had become absolutely necessary to withdraw the national support from the Kildare-place Society, "because the number of Roman Catholics in those Schools was quite disproportioned in their amount to the general population of the county." Now he had taken the pains to refer to a Report of the Commissioners of the Irish Education Inquiry of 1824, with respect to the number of Protestants attending the Kildare-street Society's Schools in the province of Ulster. It appeared from the Report that the number of children attending those schools amounted on the whole to 55,967; namely, about 29,900 Roman Catholics and 26,000 Protestants —in short, in the proportion of fifteen to thirteen. In making this statement, he did not mean to contend that the Roman Catholic population of that province did not exceed the Protestant in a higher ratio than fifteen to thirteen. He knew that it did, and happily they were now enabled to state the exact proportion, for they had a conclusive authority on this point —namely, the Report of the Public Instruction Committee—which showed the proportion of Roman Catholics to Protestants in that province at present to be as 62½ to 37½, or as fifteen to nine. This then was the proportion which the Roman Catholic scholars in the National Schools ought to bear to Protestants, it was as fifteen to nine. If they greatly exceeded that proportion no man could say that the system had worked well, for if the number of Protestants attending the schools had decreased much below 9 to 15, the Commissioners had established a rule against themselves. He had a return which had been sent to him by a right reverend Prelate in Ireland—he had only received it yesterday — it was a return relative to the condition of a rural deanery in his diocese. He should not mention the name of the party from whom he had received it, for unhappily it was not in those days safe to give notoriety to the name of any Protestant Clergyman in Ireland, but he should be most happy to give it to any noble Lord who might require it. From the return, it appeared that there were ten National Schools within the deanery referred to. These schools were attended by 1,964 Roman Catholic children, and by not one Protestant child. Within the same ten parishes, constituting the deanery, there were sixteen scriptural schools, scriptural schools! What an antithesis to national schools! "Why, good God!" continued the right reverend Prelate, "is this England? Is this Great Britain, a Protestant kingdom, in which we are to be told that there are scriptural schools, as contradistinguished from national schools? But such, unhappily, is the case." In the sixteen schools to which he had last alluded there were 537 Protestant children; somewhat more than one-fourth of the number of the Roman Catholic children attending the national schools in this district. Of the Roman Catholics attending the Scriptural schools in the deanery he rejoiced to say that they were no fewer than 145 in number. He did not pretend to say that this was not rather a rare example. He had had other returns made, from which he inferred that the result would be of the same character, though perhaps not quite to the same extent. In the face of such statements as these, would the Irish Commissioners skulk behind the plea which had that night been set up for them and refuse to answer the question of the noble Earl? He knew that it must be extremely painful to the noble Duke, (the Duke of Leinster) to be prevented by any cause from giving an answer to an inquiry which the Commissioners would be proud to answer, if it admitted of an answer which was favourable to their system. If the House were to present an Address to his Majesty, praying that his Majesty would desire these Commissioners to make the inquiry on this point, then there could be no doubt that the Commissioners would no longer object to give the answers. What had the noble Duke's colleagues said on this subject? His Grace the Archbishop of Dublin in answer to a memorial presented to him by the Dean and Chapter of his Cathedral made use of expressions to the following effect:—"I am not sanguine as to the success of this measure, yet I am anxious that, at all events, its failure should not be imputed to us; and I think we ought, therefore, to give it a fair trial. [My lords, it has already had a trial of four years.] I mean by merely offering no impediment to the adoption of the plan in those places where Roman Catholics and Protestants may agree in thinking that there are no better means of accomplishing the object." The right hon. Gentleman, then Secretary for Ireland, now a noble Lord in the other House (Lord Stanley) said, that one main object must be, to unite in one system children of different creeds. That certainly was the object, and whether it had succeeded was the question to be tried before they could pronounce whether the system itself had been successful or not. The other Commissioner, Dr. Sadler, had expressed similar sentiments in a letter, published at the end of last year, and addressed to a Dr. Thorpe, who had himself published one, intitled, "National Schools in Ireland." He spoke of the way in which the Kildare-street Society had failed, and, contrasting its failure with the success of the new system, he said, that the great majority of children in the schools of the Kildare-street Society were Protestants, and that the Society had failed as regarded the Catholics. The Board of Education was, therefore, instituted to remedy this failure, "and was in rapid progress," said the writer, "of succeeding most completely." Now he challenged their Commissioners to prove that success, of which they made such triumphant boast. He would ask the noble Marquess to let the question at issue rest entirely on the correctness of the facts contained in the statements of the Commissioners. He would ask him to give up his case if he found those facts incorrect. Could any proposition be fairer? For his part he (the Bishop of Exeter) was ready, if the noble Marquess would rest his case on the accuracy of the statements from which the Commissioners drew their conclusions, there to leave the matter. Nay, he would even go one step further. He would pledge himself to admit that he was totally and entirely wrong if those facts were found to be true to the degree of one-half of what they professed. He would pledge himself to show that those affirmed facts were anything but facts. Of course he did not impute intentional fiction to those who had stated them. He would put it to the noble Lord whether, in the face of this House, and of the country, (for some how or other, what passed in this House got out to the country) and of the reasonable men of whom we had heard so much, he would refuse to accept his proposition? Might he venture to hope for an answer? [*The right reverend Prelate paused for a moment, and was answered by one or two cries of* "*Go on.*"] He was sorry to find that he had no answer. He would then make one or two further remarks, and first, he begged, in denial of the noble Marquess's position, that all travellers in Ireland had come to one and the same conclusion in favor of the new system, to refer him to the testimony of Mr. Inglis, whose work had been generally held entitled to considerable attention. That writer, liberal as he was, had said distinctly that nothing more unfair could have been thought of than this system of education as it was administered in Ireland. On another point, the perpetuity of this system, the noble Marquess had expressed his hope that funds would be provided from a national source, for their constant support in future.

The Marquess of *Lansdowne* observed, that he had not spoken of national funds, or funds from a national source, for that purpose.

The Bishop of *Exeter* was sorry that the noble Marquess had not, because to him it seemed but right that a national system should be supported from national funds. The noble Marquess had not said national funds, but that "some means would be found." Now this expression, when he considered the noble Marquess's disclaimer of the phrase "national funds," filled him with alarm. The expression would not, however, have struck him had it not been for the language used at a public meeting at Bristol, by one of the noble Marquess's colleagues, he meant the noble Lord the Secretary for the Home Department, who had suggested that the necessary mode of subduing the licentiousness, the tremendous state of morals, the thoroughly disorganized condition of a part of the population in Ireland, their aptitude to commit murder, and every other crime, was, by introducing education among them. The funds for that purpose it was also suggested were to be derived from the supposed surplus to be found in the property of the Church, and guaranteed at present by no less than the oath of his Majesty to the Protestant Clergy of Ireland. If it were the intention, however, of his Majesty's Government to persevere in the system, he did hope that, for decency's sake, means would be taken to procure a full and adequate inquiry; and that before a vast annual charge was thrown upon any fund, even upon the National Fund, it would be made to appear that the allegations in the Report upon which the recommendation of the Commissioners were founded, were correct and true. He hoped, too, that measures would be taken to inquire into the working of the system; and no better mode could be adopted than that of having a Committee of their Lordships, to sift evidence upon oath; for he would not conceal from them his firm conviction that it would be the easiest thing possible to show to that House, and to the country, that this national system of education had been made the means, in many instances, of favouring the most shameful political agitation. Another evil of the present system was, that it frequently compelled Protestant children to witness the ceremonials of a religion which they were bound to regard as superstitious and idolatrous. That both these evils would be proved to a Committee he did not for a moment doubt, and he again repeated that he hoped the House would appoint a Committee before it adopted any measures on the subject. He knew an instance of one school of 512 scholars, the teachers of which were four monks. After two o'clock the priests taught the scholars the Roman Catholic Catechism. In the school-house a political meeting was held to arrange about the tribute, and here also a dinner was given to Mr. O'Connell. A bust of the same Gentleman was placed in a conspicuous part of the school-room. He knew of another school which was held within the inclosure of a convent. It was attended by 127 girls, and the teachers were a Roman Catholic mistress and six nuns. That no Protestant children attended such a school would not be a matter of much surprise to their Lordships. He should now sit down, relying upon the hope that his Majesty's Government would, in some way or other, take means for prosecuting this most important inquiry, and laying the information sought for by the noble Lord, before their Lordships.

The Duke of *Norfolk* was understood to say that he rose in consequence of something which had fallen from the right rev.

Prelate in the course of his speech, to inquire of the right rev. Prelate whether he intended to intimate that the moral instruction given by the Roman Catholic instructors was not equally in accordance with the doctrines of Scripture as those of the Protestant teachers?

The Bishop of *Exeter* said, that the noble Duke had asked him a question in a manner which demanded of him a most respectful and candid reply. What he had intended to say, in the observations to which the noble Duke appeared to refer, was, that in Protestant schools the use of the Scriptures was held to be an essential medium of moral instruction, whilst in Catholic schools the contrary was the case. The children in Protestant schools were taught to look into the Scriptures for all those doctrines and moral admonitions by which their duty to God and man was regulated; whereas, on the other hand, the noble Duke would, he felt assured, admit the correctness of his assertion; it was held by the highest Roman Catholic authorities, that to teach Christian duty and morals by the use of the Scriptures was unadviseable and mischievous.—[The Duke of *Norfolk* had never heard any authorities of the kind.]—He would refer the noble Duke to the authority of Dr. Doyle, and also to that of Dr. Murray, who, on being asked—he forgot at the moment whether it was by a Committee in Parliament in 1825, or by the Commission in 1824—but who, on being asked the question, whether he did not consider our Lord's sermon on the Mount the best compendium of Christian morality existing, and whether he (Dr. Murray) thought it had better be read as it stood in the Gospel, or inculcated by means of books of religious instruction, as catechisms and such like, replied, that he had not been able to bring up his mind to believe that those doctrines could be learned better in the Scriptures than elsewhere, and, therefore, declined answering.

The Earl of *Winchilsea* was extremely obliged to his noble Friend for having made the present Motion. He thought that the present system of education in Ireland would lead to the destruction of the empire. He did not mean to say, that the Ministers had acted wilfully in adopting this system. He had warned them against it; but the result was what he had all along expected, namely, that the Ministers had placed themselves in the hands of a party whose object was to sever or to destroy the empire.

Lord *Plunkett* did not intend to prolong this very irregular discussion. It was not his intention either to follow the right rev. Prelate who had addressed the House at such great length upon a mere question asked by a noble Lord, and when there was no Motion pending before the House. There were one or two points, however, in the right rev. Prelate's address, which he could not pass over unnoticed. The right rev. Prelate regretted that the Commissioners had not made any inquiries as to the relative numbers of Catholic and Protestant children who attended the schools under the new system: inquiries which they had not been required to make, and in which, if they had made, they would, in his opinion, have departed materially from what was their duty. The object of the Commission was to provide a common means of education for the population of Ireland, without any religious distinction whatever. Now if any inquiry as to the religion of the children in the schools was permitted, it would at once foment jealousies and party feelings. If, therefore, a formal motion were to be brought forward to effect such inquiries, it would, if acted upon, produce nothing else than discord, and all the very mischiefs which the system was intended to avoid. Now with respect to the relative numbers of the Protestant and Catholic children in the schools, it was not at all surprising that the latter preponderated in a considerable proportion, when it was recollected that the greater part of the Protestant children belonged to parents who were better able than their Catholic neighbours to provide education elsewhere for their families. He must say, he could not repress his surprise at hearing the right rev. Prelate speaking of the mischiefs of agitation. He did not know what mischievous agitation the right rev. Prelate might refer to; but this he did know, that a great deal of mischievous agitation had been used throughout Ireland, to prevent the Protestants from sending their children to the schools which were now provided for them, and that the object of the Commission had been grossly misrepresented and libelled, for the purpose of fomenting this agitation. He did not state this on the authority of any anonymous correspondent. The fact was notorious—it had over and over again been stated at public meetings, got up on purpose to misrepresent to the public this system. The right rev. Prelate had said that he had been struck with a great degree of horror on reading the distinction which had been made in the communications he had received, between national and scriptural education. He concurred with the right rev. Prelate that this was a most improper distinction, a distinction which struck him (Lord Plunkett) with disgust and abhorrence. But he would ask, who were they who had made this distinction? Were they the Commissioners of Education? No such distinction had been drawn, or attempted to be drawn, by them. Then who had set up this distinction? Was it the right rev. Prelate himself, or the anonymous correspondent from whom he drew all his information, who first devised the distinction between a national and a scriptural system in a Christian country? He thought, if he recollected rightly, that it was when the right rev. Prelate was reading the letter from his anonymous correspondent that these nicknames of distinction were first used. If he was mistaken he should be very glad to be set right. He would ask the right rev. Prelate for an answer on the subject, though he certainly should not take his cases upon the right rev. Prelate's answer.

The Bishop of *Exeter* explained that the distinctive terms of national and scriptural education had certainly been used by the right Reverend correspondent to whose letter he had referred, but he was quite certain that if the noble Lord himself had not heard the terms, every other noble Lord who was connected with Ireland, knew very well that the distinction was quite in common use, and perfectly well understood there. He had received letters from several other Bishops, containing the same terms of distinction.

Lord *Plunkett* could assure the House that he had never before heard the distinction of national and scriptural schools. He was sorry to hear that several other Bishops had also made the distinction, for he was bound to say that he thought it a most unfair one, and certainly it had never been used by any person connected with the Board. His noble Friend had stated a certain number of applications—he believed the number stated was 244—and he had heard of 246 applications. His noble friend having made that statement, the right rev. Prelate asked would his noble Friend give up the entire question if he should not be correct in that statement, although his noble Friend had not stated that as the only ground upon which he rested. But the right rev. Prelate's zeal far surpassed his logic when he made such a proposition. His noble Friend would desire to be set right if he were wrong; but why his noble Friend should give up the question, if not correct in that fact, and it being not used as a solitary argument on the subject, was, he repeated, a proposition that he could not understand. Now he wished, he was most anxious, to hear from the right rev. Prelate how many applications were made. If the noble Marquess had, according to the proposition of the right rev. Prelate, stated not the entire number, but half the number, then he would be declared to be quite wrong; but if the noble Marquess did state half the number of applications, would the right rev. Prelate admit that he was half wrong?—[Bishop of *Exeter!* Yes.] The right rev. Prelate said "Yes." He could not ascertain whether that was an affirmative or a negative.—[Bishop of *Exeter*: Yes; it is an answer to a question.]—He could not understand the monosyllable unless accompanied by some explanation. He now wished to call the attention of the right rev. Prelate, and of the noble Lord who had proposed this question, to another point. The noble Lord who had proposed the question upon which their Lordships were then debating, had originally, and he believed with the utmost sincerity and from a perfect conviction of the truth of his argument, declaimed and reasoned with very great energy and ability against the book used by the schools under the present system as a mutilation of the scriptures. That, their Lordships well knew, was a very popular subject, and one that had been constantly urged at public meetings in Ireland. The right rev. Prelate, however, who spoke subsequently to the noble Earl, had very early in the course of his address to the House entirely abandoned the position laid down by the noble Earl. The right rev. Prelate had observed that he was not prepared to say, that the Scripture was absolutely excluded from the schools; that extracts from the Scriptures were not admitted; nor could he say, that he considered those extracts in the light of a mutilation of that book from which they were extracted. The right rev. Prelate had abandoned the position taken by the noble Earl as completely untenable, knowing it to be a position which had been refuted over and over again, both in and out of that House. But the objection of the rev. Prelate was this,—it was utterly impossible, said he, from the constitution of the Board of Commissioners that they could ever agree upon the subject of any extracts as appropriate and suitable for the schools under the present system. That objection was founded upon principles totally different from those upon which the noble Earl proceeded; and depended upon the discordant opinions of the Board of Commissioners, which, according to the expressed opinion of the right rev. Prelate, would render it impossible that any extracts could be agreed upon by them. The right rev. Prelate had prophesied that a Board constituted of persons of such different creeds never could discover materials upon which they could quite agree. Never was there, in ancient or modern times, a prophet so falsified by the event as the right rev. Prelate. Those persons had agreed; and the Commissioners were the most rev. Prelate the Protestant Archbishop of Dublin, the most rev. Prelate the Catholic Archbishop of Dublin, a member of the Established Church, and a Fellow of Trinity College, the Rev. Dr. Sadleir, a Dissenting minister, the rev. Mr. Carlisle, and a most respectable gentleman, a lay member of the Catholic community. Those members, whom it was supposed would never have amalgamated, had accorded together, and made extracts from the Scriptures, which were now published, and he would challenge the right rev. Prelate, or any noble Lord, to take up that book of extracts, and then lay his hand upon his heart, and declare that there was anything but sound morality and strict scriptural doctrine contained in it. He had spoken to members of different persuasions respecting those extracts; and he had never yet heard any one who did not speak in terms of praise of the propriety of those extracts. The noble Duke, his noble Friend, a distinguished member of the Roman Catholic Church, and whose moral conduct and Christian feelings would reflect honour upon the members of any church, had stated what were the feelings of his Church respecting the reading of the Scriptures; but then the right rev. Prelate knew better than the noble Duke what the opinions of that noble Duke's Church on the subject were,—[The Bishop of *Exeter:* No.]—He did not say that the right rev. Prelate had asserted so much; but the conclusion he drew from the speech of the right rev. Prelate was, that he did know better than the noble Duke what were the opinions of Roman Catholics upon this point; but really he was still more disposed to subscribe to the declaration of the noble Duke as to the sentiment of his community, than to yield to the high authority of the right rev. Prelate upon the same point. He was glad to know on what authority the position was established, that the Scriptures had been prohibited in the national schools. He had never heard any reasonable person (he would repeat it, "reasonable person," although the term had been cavalled at that evening), who maintained that the Scriptures should be used as a school-book. Proper extracts had been made for the general use of the schools, and during school hours all else was certainly excluded; but there was no restriction which extended beyond those hours. Every scholar was perfectly at liberty out of school to refer, if he pleased, to the Bible itself. It was objected to the system followed in the national schools, that it was an anti-scriptural system. He would be glad if the right rev. Prelate would lay his finger upon the printed extracts to show any part of them which was unscriptural, or any part of them which misrepresented the Scriptures. The rev. Prelate said there was no reference. —[The Bishop of *Exeter:* I never said so.]—He begged the right rev. Prelate's pardon. It was a noble Lord on the other side of the House that had made the observation. Such was not, however, the case. The noble Lord would find that the references were given. For his own part he could wish that every noble Lord who heard him had the principles inculcated in that book deeply fixed in their hearts. He did not mean to say that they were devoid of a due reverence for the Scriptures, but they would not be the worse if they did what he stated; and if they had at heart the principles and sentiments contained in that book, and in this he included the right reverend Prelate, they would be deeply imbued with Christian charity and mutual love; and without which the name of Christianity was an empty pretence.

Lord *Cloncurry* observed, that there was a period in the history of Ireland, when it was distinguished for its learning, and when persons came from other countries to acquire that knowledge which the Irish were then able to impart to them. At the time of the Reformation, the funds applicable to education were taken away from the people of Ireland. By law they were prohibited from acquiring education, and the consequence was, that the people became ignorant and servile; they were beaten down and oppressed in such a manner as persons uneducated are ever found to be. The funds intended for the education of the Roman Catholics were made applicable to other purposes; but vast funds were given to educate persons in hostility to their creed. About sixty years ago sums were granted for the maintenance of the Protestant Charter Schools. These funds were intended to rear up children in hostility to the religion of their parents. Many knew that within the last fourteen years those schools had been suppressed; they knew that they had been stigmatised with vices the most atrocious, and that the masters of several of them had been put upon trial for the pollution of their scholars. The whole of that system was founded upon bigotry and uncharitableness. On the total failure of the charter schools, a system was proposed to be established, to be carried on, as it was said, without any religious distinction. The persons who proposed this applied to several persons, and amongst others he subscribed, under the idea that education would be given to the people without any religious distinction. A short time after, it was declared to be a *sine qua non* that the Bible should be read as a school book. If their Lordships would look they would find that the Bible then in general use, was one that issued from the press of the King's printer; and in the introduction or dedication there was language reprobatory of the Ministers of the Catholic religion. It was quite impossible that the Catholic clergy could allow this to be distributed amongst the children, or used by their flocks, and for this reason also, that they did not sanction the use of the Bible, without note or comment, by the vulgar. They, therefore, set their faces against the Kildare-place Society. As soon as it was found that the Catholics objected to that society, persons joined it who had never before interested themselves in the education of the people at large. That society was then joined by all those persons who, though they did not frequent Protestant churches, could not forgive the portion of the community who continued to go to mass. As to the question where the funds were to come from to continue the national system of education in Ireland, he thought they might very well come from those sources to which the funds originally destined for that purpose had been diverted. They were taken from the Catholics of Ireland—not by the Reformers of England, not by Henry 8th, whose power was not felt so much in Ireland as it had been in England, but which had been taken by Cromwell's soldiers. A great part of that property was now lying waste in Ireland, and it was easy to make it applicable. That property would not only be sufficient for this purpose, but from inquiry it would be found to make the Protestant Church richer, and after educating the people, if their Lordships thought proper, they might apply it for the benefit of the clergy and the people. The Catholic population of Ireland was six millions; and for the education of the Catholic clergy at present a sum less than 10,000*l.* a-year was granted. Was it to be supposed that respectable persons would devote themselves to education in college, which must afford them such a paltry support as that sum could give them? It was astonishing, under such circumstances, to find men of such learning, such good Christians, and such well-educated pastors amongst the Catholic clergy of Ireland; and it being considered too, that all the property intended for education had been taken from them, he would not say whether justly or otherwise. No persecution, it was confessed, had diminished the number of Catholics. Now then that the population of Ireland was Catholic, it was their duty to state, that not only should the Catholics be educated in their own tenets, but their clergy should also be educated. They knew that Trinity College, Dublin, possessed a revenue of 140,000*l.* a-year; but from the influence of party spirit there, no man sent his child to that college who was a Roman Catholic. If that University were thrown open to persons of all religions fairly, and justice thus done to Roman Catholics, the country would be safer, the people happier, and their Lordships would not be tormented, as they now annually were, with motions, which, however well intended by those who made them, could only have a bad effect, inasmuch as they tended to diminish the respect for that House, to which the people must naturally look for aid.

Viscount *Melbourne* said, he was most unwilling to take up the time of their Lordships by intruding any further observations on the matter then under discussion; and still less was he disposed to advance any remark upon the irregularity of the occasion, or on the other topics which had been referred to. He would say, that the Commissioners acted rightly in not making the returns required. Unless their Lordships meant to disturb the peace of the system which now prevailed—unless they wished to introduce discord where tranquillity now reigned — unless they meant wantonly, and of their own mind and will, to introduce that division in these schools which unfortunately prevailed amongst too many classes, they would not encourage the noble Earl opposite to persevere in the course he was pursuing. Undoubtedly the House would not accede to any motion of such a nature as that hinted at, if they wished to tranquillise Ireland. An observation had been made by the right reverend Prelate which it was important to notice—he stated, that the proportion between Catholics and Protestants ought to be given; that it should be laid before that House, because upon that hinged the system; and it would be a test of its success. If there were not a large proportion of one sect, then the system had failed, and if there were a large proportion, as compared with the population, then it had succeeded. He denied the proposition—he did not admit the inference. The great object with which the measure was introduced was, to give as general a system of education to the great proportion of the population of Ireland as they could find it possible to do. It was in the highest degree desirable that the Roman Catholics and Protestants should be educated together. With that view was devised and framed the present system. The great object was to bring them together. With that view they offered the whole of the population of Ireland a joint system—they respected the faith of both, they respected the religious education of all. But, if through fanatical enthusiasm, if through the delusion of prejudices, one party abstained from taking advantage of what was offered, could they, on that account, declare that the system should be rejected? He, for one, would say that they were not bound to withhold it from the other. Because the system was rejected by the obstinacy of Protestants, he would not be the party to refuse it to the Roman Catholic population, who were willing to accept it.

The Earl of *Roden* could not but express his surprise that his Majesty's Ministers should suddenly have become so delicate upon the subject of exciting religious divisions between the Roman Catholics and Protestants of Ireland, when they were the very individuals who but a short time ago sent a Commission into Ireland for the purpose of drawing the very greatest possible dictinction between the two parties in that country, and widening, as far as possible, the breach between them by sending forth to the world statements of the numerical proportion and the respective numbers of each. He was moreover particularly surprised that on such an occasion as that, their delicacy should have been exhibited; because it appeared as if the exhibition of delicacy was made merely to suit their own purposes, and only when that purpose was to keep back information from the public. He confessed that he was astonished to hear the noble Lord opposite get up and say, that he had never heard of any distinction as between the national and scriptural schools. He was sure that the noble Lord and every one acquainted with what was going on in Ireland had heard and knew of the very broad distinction between the two, and it was this—that the one was founded upon the principle of the free use of the Scriptures, whilst the other objected to their introduction. The noble Lord, if he would forgive him, had made rather a Jesuitical observation. In answer to the charge that the Scriptures were excluded from the schools under the present system, he had said that they were allowed to be used after school hours. No individual, however, looking fairly at the subject, could deny that the Scriptures, as a whole, were excluded. The noble Lord at the head of his Majesty's Government had spoken of the fanaticism of the Protestants in refusing the system of education offered by the Government. He was not surprised at those observations, but he must give him leave to say, that such language towards individuals acting from conscientious motives, and faithful in the discharge of their duties towards their King and their

God, did not become the quarter from which it proceeded. The Protestants of Ireland were opposed to the present system wholly on principle; and though they might be thus maligned by its advocates, he trusted that they would persevere in the course which they had adopted, and show by their conduct that the grounds upon which they objected to it were founded entirely on principle. In answer to the question that had been put to him in the course of the debate, he was not prepared to say whether he should submit any Motion to the House. His present opinion, perhaps, was, that such a line of conduct might be useless; but he was convinced that when the discussion which had that night taken place was placed before the country, every one would clearly see that the only reason for refusing the information required was, because Ministers were afraid of publishing that which would appear when the returns upon which the debate had arisen, were laid upon the Table. He begged to assure their Lordships that nothing but a strong sense of public duty could have induced him then to bring the subject under their consideration.

Subject dropped.

HOUSE OF COMMONS,

Thursday, February 11, 1836.

MINUTES.] Bills. Read a first time:—Commutation of Tithes (England); Municipal Corporations Act Amendment; and Registration of Votes.—Read a second time:—Dean Forest.

Petitions presented. By Mr. FRANCIS BARING, from the Corporation of Portsmouth, to Remove Disabilities from the Jews.—By Mr. COLLIER, from Plymouth, for Redress of Dissenters' Grievances, and for Compensation to Mr. BUCKINGHAM.—By Mr. BENETT, from the Central Agricultural Association, for Inquiry into Agricultural Distress.—By Mr. AGLIONBY, from Cockermouth, for Compensation to Mr. BUCKINGHAM; and by Dr. LUSHINGTON, from the Dissenters of the three Denominations, for Redress of Grievances.

PRINTED PAPERS.] Mr. *Bernal* took the opportunity of requesting the attention of Members to a matter that interested them all; he alluded to the Resolution of last Session regarding Printing Papers and Bills, adopted at the suggestion of the hon. Member for Middlesex. The effect of it had hitherto been, and would in future be, that no Member could obtain more than a single copy of any printed document or Bill without being obliged to pay for it, and often it was necessary for Members to send them to their constituents. Another inconvenience was, that if an additional copy were wanted, a messenger must be sent for it as far as Turnstile, Lincoln's-inn-fields. This was an evil that ought to be remedied without delay.

The *Speaker* explained the situation in which he had been placed by the Resolution of last Session. It was his duty to obey the directions of the House, and in the steps he had taken it had been his intention to carry into effect the Resolution of last Session. In order that the experiment might be fairly tried, he had desired that the price put upon printed papers should be as low as possible. As to the inconvenience of sending for papers, that might be easily remedied by appointing a place of sale nearer to the House.

Mr. *F. Baring* thought that the Speaker had adopted the only course that was open to him, and was perfectly justified in the steps he had taken. It had been found necessary to check the power of Members to take an unlimited number of printed papers, and the House was perhaps not aware of the immense packages of them that were sent northwards. Bills stood upon different grounds, and were excepted from the Resolution.

Mr. *Ewart* was of opinion that it would not be enough to allow Members a certain number of copies, and that the printed papers ought to be furnished to all societies wishing to possess them.

Mr. *Hume* observed, that in the warehouses of Parliament were not less than 2,200,000 different printed papers, and he thought that copies of them ought to be furnished to libraries and public institutions desirous of possessing them. In future the Resolution declared that they should be sold, and the price did not amount to more than a halfpenny or a penny per sheet. Three different offices were to be opened for the sale of printed papers; one was at Mr. Hansard's, another at Mr. Knight's on Ludgate-hill, and a third ought to be in the vicinity of the House.

Subject dropped.

CARLOW ELECTION.—MR. O'CONNELL AND MR. RAPHAEL.] Mr. *Hardy:* I rise, Sir, to call the attention of the House to a case which involves a breach of its privileges; and as my Motion is of such a nature, I am entitled, by the usages of the House, to claim precedence of all those who have other Motions on the paper. I am induced to avail myself of this privilege on the present occasion, because the case which I have to submit contains very serious imputations against the character of a Member of this House, imputing to him a certain traffic for the return of Members to this House from the county of Carlow, which, if true—and I by no means say that they are—would certainly involve the House in considerable difficulty as to how they should act in such an event. I only now ask for leave to bring on this case before the House, thinking it, as I do, most consistent with the dignity of the House to make an inquiry of this nature before any other business.

Lord *John Russell*: I am only anxious to be informed as to the proper mode of proceeding on this question. In order to show that I have no other wish, I tell the hon. Member who has brought forward this Motion, at once, that so far from interposing any Motion of mine, it is my intention to postpone the two Motions of which I have given notice until to-morrow; therefore, so far as I am concerned, I offer no opposition whatever to bringing this case before the House. I only wish to ascertain from the hon. Member for Bradford whether he thinks he is proceeding in this case consistently with the usages of the House observed in cases of Breach of Privilege relating to bribery, and questions of that nature. [An *Hon. Member*: No petition has been presented.] I understood from the hon. Member's observations that a petition had been presented. If the petition has been presented on which the Motion of the hon. Member for Bradford is founded, and I gave up my Motions for the sake of allowing the hon. Member to bring it forward, I only wish to be understoood as taking that course from a sense of the superior importance of such a Motion as that of which the hon. Member has given notice to all other subjects.

Mr. *Hume*: I apprehend, Sir, if this House is called on to form an opinion on any statement or speech founded on the allegations of a petition, that petition ought, according to the usual course, to be presented, printed, and then a day should be fixed for taking it into consideration. It is, I think, rather unfair to call upon the House to discuss the statements made in a petition without knowing its contents. All I can say is, that such a mode of proceeding is not usual, and that it has never been attempted before to act in such a manner; therefore, I beg to suggest to the hon. Member for Bradford that he does not serve his own case, whatever it may be, by not having the petition on which he grounds his charge first presented, and then fixing an early day for taking it into consideration.

Mr. *Williams Wynn*: I apprehend, Sir, that nothing can be so regular, according to the practice of this House, as when any Member brings under the consideration of the House a breach of its privileges, for the House to hear it—nay, to hear it with or without notice—whether any question is, or is not, before it; and even in the midst of another discussion if a Member should rise to complain of a breach of the privileges of the House, they have always instantly heard him. The practice of the House in this respect may be easily accounted for by this plain reason, that it may be essential that an immediate remedy should be applied and steps taken in the matter without any delay whatever. But when the House is in the possession of the complaint they are to deal with it as they may think fit, either to decide on it immediately, or adjourn the consideration of it to another day. What is the proper course to pursue the House cannot judge until they hear the subject matter of the complaint; when they have heard that, they can decide whether it is best to consider it at once or to adjourn the question, or to refer it to a Committee of privileges, or a select Committee. Over all these modes of disposing of it the House has a complete jurisdiction, but it is most essential that any hon. Member shall, at at any time, have the right, whatever other business is before the House, immediately to inform the House of any act which in any degree affects the rights of Parliament.

Colonel *Bruen*: After the usages of Parliament have been so clearly laid down by the hon. Member who spoke last, I feel no hesitation in rising to present the petition which has been intrusted to me from certain freeholders of the county of Carlow; but, in doing so, it is not my intention to trespass at any length upon the patience of the House in calling the attention of hon. Members to the transactions to which it refers. I shall at once, therefore, read an abstract of the facts of the case, because by so doing I shall save time and trouble. The hon. Member read an abstract of the following Petition which we give entire on account of the importance attached to it.

"*To the Hon. the Commons of the United Kingdom in Parliament assembled.*

"The humble Petition of the undersigned

Freeholders, Electors of the county of Carlow,

"Showeth,—That from various statements and letters lately published, bearing respectively the signatures of 'Alexander Raphael,' Esq., late sitting Member for the said county of Carlow, and 'Daniel O'Connell,' Esq., now sitting Member for the city of Dublin, it appears that, shortly before the last election for the said county of Carlow, a certain agreement or traffic was set on foot between the said Daniel O'Connell and Alexander Raphael, whereby the said Daniel O'Connell contracted that he would procure, or endeavour to procure, the return of the said Alexander Raphael to serve in Parliament for the said county of Carlow, in consideration of a concurrent engagement by the said Alexander Raphael to pay two sums of 1,000*l.* each, the first of which sums was, by the terms of the said agreement or traffic, to be paid absolutely and entirely for being nominated as candidate, and the second of which sums was to be paid, only in the event of the said Alexander Raphael being returned as Member.

"That the said traffic or agreement was represented by the said Daniel O'Connell to the said Alexander Raphael as a 'safe speculation,' and was concluded upon and carried into effect by both parties accordingly.

"That in pursuance thereof, and before the said election, the said first sum of 1,000*l.* was placed by the said Alexander Raphael, for the use of the said Daniel O'Connell, in the hands of the said Alexander Raphael's solicitor, from whom the said Daniel O'Connell, before the said election, received the said first sum of 1,000*l.* by his son, John O'Connell, Esq., acting on the behalf, and with the authority, of him the said Daniel O'Connell.

"That in further pursuance and fulfilment of the said agreement, traffic, or speculation, a printed address was extensively circulated among the electors of the said county, immediately before the said last election, bearing the signature of the said Daniel O'Connell, and introducing and recommending to the said electors the said Alexander Raphael, who was then a total stranger to the said county, as a candidate for the representation thereof, together with Nicholas Aylward Vigors, Esq.

"That at the said election then ensuing, the said Alexander Raphael and Nicholas A. Vigors were returned for the said county against the two opposing candidates, Colonel Henry Bruen and Thomas Kavanah, Esq.

"That after the said return of the said Alexander Raphael, the said second sum of 1,000*l.* was, in further pursuance and fulfilment of the said agreement, traffic, or speculation, placed by the said Alexander Raphael for the use of the said Daniel O'Connell, in the hands of the said Alexander Raphael's solicitor, from whom the said Daniel O'Connell received the said second sum of 1,000*l.* by his son the said John O'Connell, Esq. acting on the behalf, and with the authority of him the said Daniel O'Connell.

"That a petition was presented to your hon. House against the said return of the said Alexander Raphael and Nicholas A. Vigors, and that the ballot for a Committee of your hon. House to try the validity of the said return, took place on the same afternoon on which the said second sum of 1,000*l.* had been so received, in respect of such return, by the said John O'Connell, for the use of his father the said Daniel O'Connell; and that the said second 1,000*l.* having been so received in respect of such return, the said John O'Connell and Daniel O'Connell both attended the ballot for the Committee of your hon. House, by which the validity of the said return was to be tried, and the said John O'Connell was in fact balloted as a Member to serve on the said Committee, and suffered to remain on the list of the said Committee as finally reduced, and was sworn at the table of your hon. House, 'well and truly to try the matter of the petition referred to the said Committee, and a true judgment to give according to the evidence.'

"Your petitioners submit to your hon. House that the said transactions were in plain violation of the rights of your petitioners, as electors of the county of Carlow, no less than of the privileges of your hon. House and they humbly pray that your hon. House will be pleased to inquire into the circumstances thereof, and if the same shall be proved, to take such proceedings against the offender or offenders as your hon. House in its discretion shall seem meet."

[Here follow 231 signatures of Gentlemen and Yeomen of the largest property and respectability in the county.]

Having now (continued the hon. Member) discharged my duty to my constituents, I feel that the best mode by which I can continue to do so, is by abstaining from a single remark on the assertions contained in the petition. Well knowing the sensitiveness of many Radical Reformers in this House at the bare idea of such monstrous proceedings, and how naturally inclined and deeply pledged they are to eradicate all such abuses, I with great confidence commit the whole matter to their hands.

Petition read.

Mr. *Hardy* rose to present his petition.

Mr. *O'Connell* rose at the same time, and upon its being suggested to him by an hon. Member near him that he ought to give way, he replied, "No, I will not," and proceeded to address the House: Sir, the reason for my interfering between the presentation of these petitions must be obvious to the House. Let me in the first place say, that I hope there is not a single man in the House who will not agree with me, that there are grounds for inquiry in that petition. It is certainly my opinion that there are. I have undoubtedly always voted for inquiry, when Parliamentary grounds have been stated for it; and whether the case be my own, or that of any body else, when grounds are alleged for it, I trust I always shall vote for inquiry. For the present, so far as I am concerned myself, I shall not complain of the unusual—I will not call it monstrous—proceeding, that a petition of this kind should be in the hands of any Member, without giving a copy of it, or even an intimation of its contents, to the parties against whom it is presented. But as I have said, for myself I scorn to complain. There is another, however, in whose behalf I appeal to every man of good feeling—I appeal to every father in this House, whether it be right to introduce the name of Mr. John O'Connell on this occasion? I don't say that it was wrong to introduce his name into the petition, but I do say that it was unfair and unjust to bring his conduct before the House in the manner in which it has been referred to, without giving any notice of the intention of the hon. Member for Carlow. How could the hon. Member—is he a father?—consent to lend his authority to an allegation against the integrity on oath of Mr. John O'Connell, without giving him intimation that such a charge was to be brought against him? Party spirit is bad under any circumstances, but it is infernal, when it tears up by the roots every kind and generous and honourable feeling of our nature. And it is through the influence of this party spirit that I am to be now harassed by the imputation of—what? Perjury—before God, applied to as pure a creature as ever breathed, the Member for Youghal. Why, Sir, if the hon. Member had in his composition any thing of humanity—if he were not a person whose desolated villages have marked out him—if the scream of the widow, and the cry of the orphan against his tyranny were not yet crying in his ears—if he were not of such a nature, he never would have made this attack on the hon. Member for Youghal, without giving him that notice which would enable him to throw back into their foul den the calumnies—

The *Speaker* said, I am sure the hon. and learned Member will see, on the least reflection, the propriety of explaining the expressions which he has used.

Mr. *O'Connell:* Perhaps, Sir, I may be excused if, with the provocation I received, I was carried away by my feelings. I must be permitted, however, to say, that when I spoke of casting the calumnies referred to in the petition back into their foul den, I meant the expression to apply to the petitioners. [*oh, oh!*] It appears then, that by some I have been understood otherwise. Be it so. [*" The Orange Den!"*] And suppose I had used that expression, and applied it, as some would infer, let me ask whether I should not be justified in doing so? Is there no Orange Den—is there no conspiracy there (pointing to the Opposition)? Well, I *was* carried away by my feelings. Be it so; but I don't think that in appealing on his behalf to the House—in whose behalf alone I do appeal—that any man would condemn me of any great error in being a little more violent, if you please, than I should be on any other subject. But I will go on. I will speak on behalf of the Member for Youghal, who has been thus assailed. I will appeal, in the first place, to this fact—was it not perfectly well known that I addressed the electors of Carlow in favour of Raphael and Vigors, the men petitioned against? And was not this perfectly well known to the petitioners; and when they chose to leave on the Committee Mr. John O'Connell, did they not know that I was a strong partisan of Raphael and Vigors? Have they a right then, I say, to impeach for attending the ballot of the Committee, him whose duty it was to be present? Had they not a full and perfect knowledge of the part which I had taken in the election? Why, then, did they suffer the name of John O'Connell to remain on the list of the Committee? Oh! every body who understands anything of the Committees of this House, understands why they did so. They were secure of their Committee. Even though it is I who say it, I call upon—nay, I taunt any man on that Committee to deny, if he can, that John O'Connell has conscientiously and fairly exercised his duty as any other Member upon that Committee. Why do I say this? Because the very Chairman of the Committee, in answer to something more than an insinuation which I felt it my duty to throw out against their conduct, expressed his regret that I had not followed the example set me by the conduct of Mr. John O'Connell. The very Chairman, I repeat, bore testimony upon that occasion, to the integrity of his conduct, and referred to it as being worthy of my imitation. But what, after all, is the accusation against him? That he was his father's messenger on the subject of 1,000*l.*, when it was known that that father was an open partisan of Raphael and Vigors. So that his name has now been introduced, not to give weight to this charge, but for the purpose of influencing those feelings which are endeavoured to be roused by means of public meetings abroad, and in order to halloo on the cry of the Tory Press, to which, as a stock in trade, I am worth nine-tenths of all their wealth. It is for these purposes that the feelings of affection, of love, are to be grossly outraged. But when I can express a sincere belief that there is not a not a more dutiful and respectful son than the Member for Youghal—when I am conscious of that —I do not envy the Orange triumph, which amounts to aiming a dagger at my heart, that falls blunted from the shield of the honour and integrity of my upright, loved, pure, and (except through falsehood) my unimpeachable son.

Colonel *Bruen:* With respect to what the hon. and learned Gentleman has stated as to my not giving him notice of an intention to present the petition which was intrusted to me on this subject, I really did not think that any other notice than what I put on the votes was necessary of a petition, which contained charges with which the hon. and learned Member must have been familiar. With respect to the charge made against me of having desolated villages, all I shall say in reference to it is, that it is just as true as the generality of the accusations which fall from the hon. and learned Gentleman's lips. I have no doubt that it will be received by the House with that degree of credit which they generally attach to the hon. and learned Gentleman's assertions. With regard to my private character as a landlord, I do not dread a comparison with the hon. and learned Member, or any other landlord in or out of Parliament in that capacity; and I am happy to say, that the great majority of the freeholders of Carlow, if they were allowed to vote as they themselves pleased, would prove, to the satisfaction of the public and the country, that the character which I bore as a landlord before reform lessons, as they have been called, were taught the electors, still remains the same. But the fact is, that three-fourths of those who voted for the Hon. Gentleman petitioned against, did so against their inclination, and under fear of losing their lives. Hon. Members who belong to this country may be astonished at what I have said; but I state what are undoubted and incontrovertible facts. Some intimation of the sort was given to the Committee which sat upon the election last year, and I hope and trust that such information will be brought before the Committee, which I take it will be appointed on this Motion, as will undeceive the Gentlemen of this country, as to the transactions which take place in Ireland; for I venture to assert that at present English Gentlemen are totally and altogether ignorant of them.

Mr. *John O'Connell* said, it can hardly be expected that I should be able to command my feelings after the expressions which have been uttered with reference to me by the hon. Member who has spoken last but one in this discussion. There are ties and relations between that hon. Member and myself which I shall not farther refer to than to say, that I find it extremely difficult to repress my feelings, after what has taken place to night, and after the observations which he has addressed to the House. I will, however, at once address myself to the matter under discussion, and say, that although I believe the present attack upon me is made for the sole purpose of injuring him, yet I care as little for it as I am sure he does. I, just as he, court inquiry, and am most anxious to have a Committee appointed. The hon. Member who spoke last called on me, as one of the Members of this House, to vote for a Committee, which he says will prove most useful in supplying information to the inhabitants of this country as to the practices at elections in Ireland. I am quite willing, Sir, to vote for such a Committee. I call upon him to do the same, and let an impartial inquiry be instituted into the conduct of both parties. I do not know what infernal machine may be in store for us; so I shall intrude no longer on the patience of the House, than to say that I am, and always have been, and ever shall be, ready to answer, either here or elsewhere, for any conduct of mine which may be considered objectionable or unjustifiable. [*"Oh!"*] Well, then, I shall only say that I am prepared to answer any charge that may be brought against me.

Mr. *Hardy:* I have a Petition to present on this subject, signed by several inhabitants of Bath, who are entitled "the Friends of Purity of Election and the Enemies of Corruption." I would prefer to my reading the petition that it should be read by the Clerk of the House. As to the charge of not having presented a copy of this petition to the hon. and learned

Member for Dublin, I can only say, that on the very day that the petition was delivered to me, I saw a printed copy (several of which had been sent up from Bath) in the hands of one of the hon. and learned Gentleman's friends. For this reason, therefore, and because the subject matter of the petition had already gained sufficient publicity—at all events to render it impossible for the hon. and learned Gentleman not to be aware of the nature of the accusations preferred against him—I abstained from making to him what could not have been a very gratifying communication. If I have been guilty of any want of courtesy to the hon. and learned Member for Dublin, I am sorry for it, and I assure him that I had no intention that such should be the case. But I considered it least of all necessary to present the petition, or a copy of it, to the hon. and learned Gentleman's son, because I can attach no blame to him. I am a father myself—yes, I repeat, I am a father; and I can appreciate the feelings of one who hears his son attacked as he conceives unjustly. But I do not regard the conduct of that young gentleman in any other light than as one who acted under the influence of his father. And if he had done anything wrong in acting in obedience to his father's dictation, I cannot impute any blame to him. I do not think that that young gentleman is at all implicated in the transaction, because I see that he has done nothing which he was not directed to do by the hon. and learned Member for Dublin. It now only remains for me to present the petition, which will be read by the Clerk at the Table, and all I shall say in reference to it is, that the House can judge whether the circumstances which it discloses are not a fit subject for inquiry. [Lord *J. Russell:* Perhaps the hon. Member would read the substance of the petition.] The petition began:—"From disclosures lately made by Alexander Raphael, Esq., of Great Stanhope-street, it appears that shortly before the last election" [hon. Members—"Read the prayer."] The hon. Member accordingly read the prayer of the petition:—"And your petitioners pray that the principles of Reform may be fully and fairly carried into effect." I am glad (said the hon. Member) to see the hon. Members opposite display such merriment on this occasion. I do not know whether that merriment may be diminished when I tell them that I believe this petition emanated from the Committee and supporters of the hon. Member for Bath. The prayer of the petition concluded in these words:—"Your petitioners are anxious to see the principles of Reform carried into effect in all cases, and against all offenders alike, and pray your honourable House to inquire into this strange transaction, including the contents of the said unpublished letter (mentioned in the petition), and take such measures as they deem fit for protecting the rights of Parliamentary election, and bringing punishment on all persons of whatever political party they may be who deserve it. I shall again repeat that if I have been guilty of any discourtesy in not giving the hon. and learned Member for Dublin a copy of this petition, I trust I may be excused on this ground, that it was not a pleasant thing for me to communicate what I was sure was supplied to him from another quarter. I must, however, at the same time, say, that my regret for any neglect of complying with usage in this case is considerably diminished when I reflect that no man is better able than the hon. and learned Member to dispense with mere forms, and to grapple with the substance of things. The hon. and learned Gentleman is certainly capable of defending himself, and of dissipating any clouds of suspicion which may be raised against him with an ability which few Members of this House can command.

The petition was read by the Clerk.

General *Palmer* was understood to express his surprise and regret, that such a petition as that which had been just read, had not been intrusted to him for presentation, because he had never since he entered that House refused to present any petition which he was called on to bring under its notice, no matter what might be the feelings of parties by whom it was agreed to.

Mr. *Roebuck* felt himself called upon to say something respecting the petition from Bath; and first in answer to the assertion of the hon. Member opposite, who had said that it emanated from his supporters. He was happy to be able to say in their name, that he repudiated the petition wholly as proceeding from his supporters—repudiated it both as to its spirit and in the way of carrying it on. To prove that the petition did not emanate from his supporters, he would state, that it proceeded from a society of persons calling themselves the "Liberal Association," who had taken that name lately, because they knew that none other would be popular, and under that name, to which they had no true claim, had made a scurrilous attack upon him when he was 100 miles distant. They were persons, who, on a personal matter, had canvassed Members of that House under the name of a Liberal Association, when every one, who knew anything about Bath well knew, that they were among the most rabid Tories in the kingdom. Those were the persons who now stood up for purity of election, having taken a very extraordinary mode of showing their own purity of purpose. They wrote to his hon. Friend, as had been stated, requesting his support, under the name of the "Liberal Association," and his hon. Friend called upon him and inquired if he knew who they were, "for," said his hon. Friend, "when I saw the name at the bottom of the letter, I thought it a Tory name, though at the top of the communication, professed to come from a Liberal Association." He supposed, that his hon. Friend, knowing the changes which sometimes took place in people's politics, and aware that persons, who to-day called themselves Radicals and Liberals, might next day be found sitting on the Tory benches, did not know but a counterpart to this might occasionally be seen, and that a single Tory might come over to the Ministerial side. He had stated the exact truth as regarded this petition, which had emanated from a set of Tories, who chose to associate for party purposes under the guise of a Liberal Association. There was one name attached to the petition, which, by the writing he was very much inclined to believe a forgery. In this case there was nothing but the mere name, and the greater proportion of the signatures were without any addresses. He would ascertain by the next post whether the name referred to was actually a forgery; and he pledged himself to state to the House, whether he found himself mistaken or not in his supposition. It so happened, that this person, whose name appeared attached to the petition, not three days ago wrote him a letter, inclosing the scurrilous attack made against himself by the "Liberal Association," disclaiming it wholly, and using very strong terms against that association. He therefore believed the name to be a forgery, and he knew, that the petition emanated from the Tories of Bath.

Mr. *O'Connell*, as far as he was himself concerned, had but one word to say about the petition, in answer to the hon. Member for Bradford. The hon. Member, by way of excuse for not sending him a copy of the petition, wished to insinuate that he had omitted it in order to spare his feelings. That was the oddest way of sparing a man's feelings that he ever heard of; the hon. Gentleman would not hurt him by giving him the petition in private, which, at the time, he intended to publish to the whole British empire. He was really surprised to hear an hon. Gentleman state such a thing with gravity. This was the tenderness of the butcher to the calf; he would not show his victim the knife for the world! The hon. Gentleman appeared to suppose, that some exceedingly goodnatured friend would furnish him with a copy of the petition—the hon. Gentleman might himself be a good-natured friend of that description, but he assured the House, that all he knew of the petition from Bath was this, — the hon. Member for Ipswich showed him a short letter, signed in the name of "the Liberal Association," which contained no particulars, however, and in which there was only one sentence relating to the matter, to this effect,—"Will you, who have always been an enemy to corruption, allow any man, of whatever party, to put money into his pocket by corrupt Parliamentary influence?" Undoubtedly this was a very proper question to put to his hon. friend; and the only answer that he, or any other man of like principles, could give, must be in the negative. He now asked the hon. Member for Bradford, what he meant to insinuate against the Member for Youghal, when he said, that he held that Gentleman excused, because he had acted under his (Mr. O'Connell's) directions? The hon. Gentleman had given that as an excuse for the conduct of the Member for Youghal. He hoped the hon. Member for Youghal would take his advice, which he offered in the strongest shape,—he said advice, because during all his life, command had been unnecessary, — to leave this matter to be adjusted entirely between the Member for Bradford and himself. He denied that there was any part of the conduct of the Member for Youghal, which rendered an apology necessary for him. He had attended here at the time of choosing the Carlow Committee in the discharge of his duty; it was well known that he could have been committed if he did not attend. Every one knew the relationship subsisting between him and the Member for Youghal, yet the latter was allowed to remain on the Committee. Then there must have been eleven Members more unfavourable to the petitioners than his son named in the original list, as they did not strike him off, or else the opposite party left him on the Committee to parade him. In either case, there was nothing in his conduct requiring an apology. His character was stainless as the driven snow, and would ever remain so. He defied the hon. Member for Bradford, or any other man, to cast a stain upon his son's conduct. If no attack could be made openly, let not covert insinuations be resorted to. Let any Member of the Carlow Committee be asked how the Member for Youghal had conducted himself in the course of the inquiry, but let not the affectation of an apology be offered where it was not required. Having said thus much on that subject, as he did not intend to speak again, he would now state to the House what he thought fair, just, and reasonable, to be done in the matter. He suggested that both the petitions be printed and placed in the hands of every Member. This was a question of privilege, and no matter ought to interpose to postpone it, whenever the House thought itself in a situation to proceed. He had not the slightest wish, the least anxiety, to throw the inquiry back; on the contrary, he felt anxious that there should be a full and fair inquiry, in order to show how absurd was the notion, which every reasonable man must know to be false, that a single farthing, or the thousandth part of a farthing, remained, or could have remained in his pocket, or that he had the slightest pecuniary interest in the transaction. He was willing to refer the matter to a fair and impartial Committee. He had been all his life battling against packed juries, and would not now submit to anything but a fair and impartial tribunal. Let the petitions be printed; let the hon. Member opposite give notice of a day for taking them into consideration, when he and the Member for Youghal might have a fair opportunity of making their defence before the House; meanwhile, he wished the hon. Member for Bradford to state what charge he had to make against the Member for Youghal; but he would give no answer to the charge at present. The hon. Gentleman had implied a charge, if he did not make one directly, for he said that "he held the Member for Youghal excused, because he was acting under his father's influence." Let the hon. Gentleman tell the House what act of his son's life required an excuse. He demanded to have it now stated what accusation there was against the Member for Youghal. If the hon. Gentleman brought forward any charge, let the Member for Youghal be heard, and if his conduct appeared to have been pure and honourable, let the fact be distinctly admitted. He proposed that the petitions be printed, and the day after they were in the hands of Members, let the hon. Gentleman give notice of a Motion on the subject. If the hon. Gentleman moved for a Select Committee to inquire into the business —and he admitted that he saw distinctly enough on the face of the petitions, parliamentary grounds for a Committee—he would support the motion for inquiry. But, meanwhile, let him be permitted to make such a statement in reply to the charge as would go forth to the people of England, who, by the by, were not misled by all the calumnies that had been uttered against him. He heard 600 independent men last night answer that question, and express with one voice their disbelief of the charge. All he required was a clear stage, and no favour. He admitted that if he had done wrong in this matter, he was doubly wrong, for he avowed he was a Radical Reformer, a thorough Radical Reformer, and if he had done an act against the great principle of purity of election, no censure could be too bad for him; but he defied any man to show a single act of his life inconsistent with the principles he had ever advocated. He would not taunt Gentlemen opposite with their new-born love of purity—let those who had given 20*l.* a-head for votes accuse him of violating purity of election if they pleased—even they had a right to condemn him if he had acted wrong. Even if there were a profligate purchaser of perjury in the House, still he had a right to condemn him. Give him a fair Committee an honest and impartial inquiry, conducted by men who would not allow party feelings to bias them— he did not shrink from such an investigation; on the contrary, here, in the face of the House, he demanded it on these terms. In the petitions, it was stated that he had attended the ballot when the Committee on the Carlow election was struck; he was in the House on the occasion, but if his name had been called, it would have been his duty to have answered "petitioned against," his own return for Dublin being contested at the time. Arising out of the petition against him 11,000 folios of evidence had been sent over, and the 29th of the month was appointed by the Committee for renewing the inquiry into the Dublin election. His intention was, the moment the Committee met, to make an application to it to send back to the Dublin Commission a particular inquiry, which he thought had been stifled on the other side. If he succeeded in that application, he would be ready for this inquiry on the first of March. He did not wish to postpone the inquiry at all—why should he? Did any man think he could have any motive in delaying it? Well; he had done a great deal of complicated business already in his life, and if the House wished, he was willing to undertake both affairs together. On the contrary, if the House thought he had business enough on his hands already, let it appoint a Committee in the way he had proposed, which could adjourn over for a week or a fortnight, and then meet to proceed with the inquiry from day to day; let the hon. Member have the petitions printed, and appoint Tuesday next for bringing on his Motion for a Committee. This was a question of privilege, and, according to the principle laid down by the right hon. Member for Montgomeryshire, it ought to be speedily disposed of. He was quite content that it should be. Let the hon. Gentleman make his statement, and he would make his defence. On the appointment of the Committee, he would state his views as to how the inquiry ought to be conducted, and take objections, if objections he had, to the course that might be proposed, or the persons who should be nominated on the Committee. Then let the inquiry take place. He was desirous of such an inquiry, and wanted to have it as large as possible; he wanted to know whether those who denied their participation in acts of cruelty in Ireland could fix the slightest stain on his character, or show that he had abandoned the principles of a Radical Reformer. If they succeeded in this, he was ready to submit to any penalty that could be imposed on him; but he had a consciousness that no imputations could be cast upon his character—that he had nothing to vindicate himself from, and that he should stand as unimpeachable in point of fact, as he certainly was in point of feeling.

Mr. *John O'Connell* said, he was a very young Member—perhaps the youngest in the House; however, he begged to be allowed to make his own defence, and required no person to make a defence for him. Young as he was, he had sufficient sense to know what business he was sent about, and when he went with the papers, he was fully aware of what he was doing, and felt that he was doing that to which no blame attached; and, if there was any blame, he claimed his full share of it. He begged a full inquiry.

Mr. *Hardy* said, that when he made the observations referring to the conduct of the hon. Member who had just sat down, he trusted they would have been taken in the same spirit as they were made in. He had stated that on the face of the proceeding he saw nothing to impute in the way of blame to the hon. Member, because, whatever of secrecy there was in paying the money, he might know nothing whatever of the circumstances under which it was given. The hon. Member might go to a party, and receive the money without being cognizant of the circumstances of the transaction. With respect to this proceeding, if the House would allow him, he would state, in two or three moments, how he happened to appear in his present situation. He was a member of the Bribery and Intimidation Committee, which had sat for so long a time last Session, and he had previously belonged to a Select Committee on the subject of bribery to which a Bill brought forward by him was referred. In that Committee they had the honour of the assistance of the Speaker as a Member. It was his intention to bring his Bill forward again, and he had given notice of it early last Session, but before the day appointed for its introduction, a Motion was made by the present Under Secretary for the Colonies, to appoint a Select Committee on Bribery and Intimidation. Immediately, upon that Motion being made, he proposed that his Bill should be presented to the Committee, in order that having gone through the ordeal of two Committees, it might come before the House in a shape best adapted to effect its object. When the Bill was under consideration before the Committee, there was a Clause in it supplying a defect in Curwen's Act, and fixing a penalty on persons receiving money to procure the return of Members to Parliament; but it was thought that such a Clause would not be necessary now, as there could be no nomination in boroughs under the Reform Bill, and he never knew of nomination in counties before. He agreed that the Clause should be struck out, and accordingly it was. Some time after the close of the Session, however, in the month of October, there appeared a correspondence in the public papers between Mr. Raphael and the hon. and learned Member for Dublin, and then it seemed to him that the provision which had been struck out of his Bill was not altogether so inapplicable as had been supposed, and he therefore stated to some of his private friends, not members of that House, that to justify the reinsertion of the Clause in the Bill, he would make a point of bringing the present case before the House, and proposing an inquiry, if that course should be thought proper. On the first day of the Session, he watched till the last moment to see if any Member of more weight and influence than himself would bring the matter forward, and that not being the case, he had given his notice on the subject. In pursuance of that notice here he was. He would not shrink from his duty. He did think this was a case demanding inquiry, and it appeared to him that the country thought so too. Imputations were cast upon the Member for Dublin, which he should have thought would have made the hon. and learned Gentleman himself, the first to call for an inquiry, and not wait till it was proposed by another Member. Here were imputations which clearly amounted to a breach of privilege, and he had seen Members have persons called to the bar for publishing in the newspapers imputations of a much higher nature than these. When such severe imputations were cast upon an hon. Member, it became him, or some other individual, to call for an inquiry; and therefore it was, that he had made the present Motion, in order that the hon. Gentleman might vindicate himself from suspicion. He was quite ready and anxious to give the hon. and learned Gentleman every opportunity of vindication which the House might think he ought to have. All he wished for was a full, fair, and free inquiry into circumstances which appeared, at the first blush, to attach discredit to a Member of the House, and to reflect on the character of the House itself. When he looked at the correspondence published by the late Member for Carlow, and examined the facts contained in it, he did not draw the inference that the hon. and learned Member for Dublin had put any money in his pocket, though he saw it imputed to the hon. Member in the newspapers, and observed that something like it was alleged by the person with whom the bargain was made. He did not wish to insinuate that, but it was not necessary, in order to imply corruption, and an improper traffic, that a man should put money into his own pocket, if it appeared that he had secured the return of partisans bound to maintain his own principles in the House, and indeed tied down by written statements.

The *Speaker* called the hon. Member to order, the limits of which he was now transgressing. The only question was, that the petition do lie on the Table, and when that was decided, it would be for the hon. Member to state what course he meant to take.

Mr. *Hardy* would in that case postpone any observations. He was only anxious to show, that he was influenced by no motive but the discharge of his public duty.

Colonel *Parry* observed, in reference to a complaint made by an hon. Member, as to the Bath petition not having been intrusted to him, that he was sure no reflection was intended upon the venerable character of that individual. He hoped the inquiry would be fairly conducted, and wherever blame was found to rest there it might fall. He must hold up both his hands against the doctrine of the hon. Member for Bradford, that the hon. and learned Member for Dublin was to be responsible for the conduct of his son. The hon. and learned Member must have anxiety enough without this consideration being added to it. In conclusion, he had only to add, that he should vote for an inquiry.

Mr. *O'Connell* said, that the hon. Member for Carnarvon had mistaken him if he supposed that he declined to be responsible for the Member for Youghal. What he said was, that there was nothing in the conduct of the Member for Youghal, that required defence, or called upon him to interpose the shield of his authority over his son; that was what he said, and he defied the hon. Member to contradict him.

Colonel *Parry:* The hon. Member for Dublin spoke in defiance of him, but that must be owing to the hon. Member's misapprehension of what he said. What he said, or meant to say, was, that he held up both his hands against the doctrine of the Member for Bradford, because it went to annoy the feelings of the hon. and learned Member, already sufficiently excited, by making him responsible for the hon. Member for Youghal.

Mr. Hardy moved, that the petitions be printed and taken into further consideration on Tuesday next.

Mr. *Williams Wynn* thought that there should be as little delay as possible. He would suggest Monday as the best day for the discussion, unless that would be inconvenient to the hon. and learned Member for Dublin.

Lord *John Russell* thought it would be more convenient to postpone the discussion till Tuesday, inasmuch as the hon. Member for Bath had given notice of a Motion relative to the state of the Mauritius, which had already been fixed for Monday.

Mr. *Hume* hoped there was no wish to show any want of courtesy in the present case, and, as the hon. and learned Member for Dublin had already named Tuesday, he put it to the gentlemanly feelings of the House not to press the matter any further. Twenty-four hours would really make very little difference; and, as another very important subject had been fixed for Monday, Tuesday would be quite time enough to proceed with the inquiry.

Mr. *O'Connell* said, the reason he preferred Tuesday was, that he regarded the whole charge as a mock solemnity. The noble Lord (Stanley) might differ from him. He considered the charge a ridiculous one, instigated, not in that House, but out of it, by the grossest party spirit; and repeated in that House by men who had employed all their lives in bribing and corrupting. He wished for Tuesday, because there were two important questions fixed for Monday, in the discussion of which he wished to take a part. Tuesday would be quite time enough, and he could assure the House he should repose with the utmost *nonchalance* under all the anxieties of this mighty and weighty accusation, in regard to which he had already been acquitted of all pecuniary turpitude by the hon. Member for Bradford. [" *No, no.*"] He did not mean the noble Lord (Stanley); he did not saythe noble Lord had acquitted him; —oh, no! he knew too well the delicacy of his enmity;—he had experienced it too often already; but he understood the hon. Member for Bradford to acquit him of any pecuniary turpitude in the matter. If the House would fix Tuesday, there he should be, he trusted, in perfect health, certainly in good spirits, and ready, at all events, to meet and refute the charge,—refute, did he say?—Oh, no! it could not be necessary for him; but to convince every impartial man in that House that there was not one particle of ground for the imputation. He was entitled to that assertion, and all he required for the present was, that the House should suspend its judgment till Tuesday, when the hon. Member for Bradford might speak at any length he pleased, and with all his accustomed power, and the hon. Member for Carlow would be at liberty to talk as disparagingly as he had ventured, most untruly, to speak of him. [" *Order, order.*"]

The *Speaker* was sure the hon. and learned Member would see at once that the expression he had used was very strong, and altogether unparliamentary.

Mr. *O'Connell* was sorry if he had made use of unparliamentary language. If he had done so, he begged leave to retract it; but he did not think that to say he had been untruly accused was very unparliamentary language. If it were so considered by the House, he had no feelings of resentment to gratify, and therefore he repudiated the expression. Having said thus much, he would not enter into the subject more at length, beyond again expressing the hope that the House would postpone till Tuesday further discussion.

Mr. *Roebuck* said, it would be a serious inconvenience to postpone the inquiry which had been fixed for Monday; and as the noble Lord opposite (Stanley) would have on that evening to meet a very important charge, which would be brought against himself, he had no doubt he would be anxious that it should take precedence of the discussion in which the hon. and learned Member for Dublin was personally implicated.

Lord *Stanley* could assure the House that, as he had never shrunk from the discharging of any part of his public duty, so he never would shrink from meeting any charge made against him by the hon. Member, or any one else. It was a matter of perfect indifference to him whether the Motion of the hon. Member for Bath came on upon Monday or on any other day; and it was equally indifferent to him, as far as he was personally concerned, whether the Motion relative to the conduct of the hon. and learned Member for Dublin was fixed for Tuesday or not. Whatever that hon. and learned Member might be pleased to think of the delicacy by which his enmity towards him was characterized in that House or elsewhere, he trusted it would never lead him to take any step which would be disgraceful to his feelings as a Gentleman and as a Member of that House. He considered the hon. and learned Member's political character and political position fraught with danger to the empire at large. Politically he had always opposed him, and he thanked his candour when he declared it was a high gratification to hear the expression of his belief, that during the Administration of Lord Grey he (Lord Stanley) had essentially served to thwart that hon. and learned Member's political schemes. But political grounds of hostility he would never suffer to degenerate into personal vindictiveness. He never would sit on such a Committee as that to be moved for by the hon. Member for Bradford, because he should distrust his own judgment in a case where he sat on the character of the hon. and learned Member. If, therefore, he were nominated on the Committee. he should at once decline serving on it. He never had made an attack on the hon. and learned Member—he never would do so—in his absence, when it was impossible for the hon. and learned Member to answer for himself; but he was bound to say, when the hon. and learned Member appealed to him, whether he were already exempted from any charge of personal corruption, whatever might be his own opinion as to the justice of the charge, he was bound to say that the charge did hang over the hon. Member's head, and answer it he must in that House and before this country. Whatever application the hon. and learned Member was prepared to make of that money which it was alleged he had received, the allegation that he did receive it, and that for such a sum he contracted that a Member should have a seat in that House, fixed him distinctly and substantially with the charge; whether he meant to apply it personally to his private advantage, or politically as a means of public corruption, it was equally discreditable to him as a charge of personal or pecuniary corruption. He had not intended to say one word on this subject. He declared on his honour as a Gentleman he had no such intention, but the learned Member provoked him to speak. He denied that he considered the hon. and learned Member exempted from the charge of corruption. He pronounced no opinion as to whether he was guilty or not, but this he would say, that the hon. and learned Member was not justified in representing — and much had he been astonished in seeing his right hon. Friend opposite (Sir J. C. Hobhouse) intimating his assent to the statement by a loud and vociferous cheer—as if so grave an imputation on the character and conduct of any hon. Member of that House should rather be laughed away and treated as a thing too ridiculous to demand the serious and deliberate investigation of that Parliament, which had already proved itself determined to do away with the corruptions which subsisted under a former system, and which, most of all, was bound consistently to ascertain and punish the delinquency of those who had been the foremost in denouncing and the readiest in determining and in inflicting the punishment of others. He hoped he had misunderstood his right hon. Friend, and yet his manner was so marked that he could not persuade himself that he had been mistaken; he heard him so loudly cheer the assertion which fell from the hon. and learned Member for Dublin, that this was a charge so utterly ridiculous that it should be treated altogether with contempt—that it was one which that House was taking up as a matter of mock solemnity, and for that reason it was a matter of indifference to him on which day it should be brought forward. He thought it could be no matter of mock solemnity to that House, which had already instituted so many proceedings into cases of corruption in various towns and boroughs, such as York, Ipswich, Yarmouth, and even the alleged case of Chatham. It must be a matter of deep importance to the Members of that House, whether there was or not an individual in it capable of exercising such influence, as to introduce into a county of Ireland a person utterly unknown to the constituency, of whom he expressed the lowest and the meanest opinion, and who, possessing that influence, was prepared for its exercise to receive, on whatever pretence, the sum of 2,000*l.* If there was anything in reform, if there was any desire to support the purity of election, if there was any desire really to maintain those principles to which he ever had been, and now was, sincerely attached, the last thing that should be urged on such an occasion as the present would be, that this was a mere matter of mock solemnity, and on that account it was quite indifferent whether brought forward on one day or another. As he said before, he cared not on what day it was brought forward; if the hon. and learned Member preferred Tuesday, Tuesday let it be. He knew not why it should not be proceeded with at once. The hon. and learned Member confessed that he thought it fitting for inquiry before a Committee— the hon. Member for Bradford only moved for a Committee—nothing more; yet, said the hon. and learned Member, give us three days between the time of giving notice and the moving for that Committee. It was not for him to say how that time was to be employed. It was not for him to say whether a delay of three days was necessary or desirable for the hon. and learned Member; he freely confessed he could not enter into the hon. and learned Member's feelings; he did not understand them—he never participated in them; but this he knew, that if he sat in that House under such a charge—a charge repeated over and over again—a charge supported by documents, detailing facts, some denied, much admitted on both sides—a charge that he had obtained money corruptly to procure for an individual a seat in that House, twenty-four hours should not have elapsed from the meeting of Parliament without he himself moving for the appointment of a Committee. He remembered one occasion on which the hon. and learned Gentleman found it convenient to take some days to answer a charge which had been made against him; he never quarrelled with the hon. and learned Member for taking as much time as he considered necessary to enable him to answer any of his observations; he did not complain of the hon. Member's requesting till Tuesday on the present occasion; but were it his own case, rather than move for the postponement of one single hour, if the matter had not been investigated sooner, he would call on the House at once to express its judgment.

Mr. *O'Connell* said, that the noble Lord had totally misstated him. He never said that the noble Lord had acquitted him; he had not even insinuated it; all he said was, that he understood the hon. Member for Bradford to exonerate him completely from pecuniary corruption. The noble Lord put it unfairly; but he ought to have listened to what had been said before he rose to make his speech. The noble Lord had also said that he could not see why any postponement should be required. Where was the noble Lord when the petitions—the first tangible ground laid before the House for inquiry—were ordered to be printed? Did the noble Lord mean to say that it was not a fair and legitimate course to require that they should be printed? For what purpose? That in the reply to them, deliberately made, that calumny against him so industriously circulated—that calumny which the noble Lord had repeated to-night, in defiance of the facts, should be repelled from that House, and every one of those insinuations which the noble Lord threw out, shown to be as unfounded as were ever dictated by malevolence, and countenanced by party spirit. That was his object. Not one word had fallen from the noble Lord of charge against him. but he should be able to prove it wholly destitute of the slightest shadow of truth. When the noble Lord talked of having thwarted him in his exertions in Ireland, he could only say that no man ever made greater advances in that or any other country under such supposed unfavourable circumstances. So far from having thwarted his plans, the noble Lord had materially advanced them. There was about the noble Lord something he could not describe, that the Irish did not fall in love with—whether it was in matter or in manner, or in the combination of both—whether it was the want of impartiality, of judgment, and bias.

Viscount *Howick* rose to order. He was sure the House would feel, that the hon. and learned Gentleman having been already heard on this question, it was not desirable he should again persist in addressing it. He certainly was not surprised that the hon. and learned Gentleman should at that moment still wish to be heard; for he confessed that he listened with feelings of the very deepest regret to the speech made by the noble Lord who immediately preceded him. But, without following the example of his noble Friend, without pronouncing a strong opinion on either side of a question which by common consent had been put off till another day—without entering at that moment, when they could not be fairly discussed, into charges of a nature which must be deeply felt by the hon. and learned Member—keeping his mind perfectly free and unbiassed on either side—not being either personally or politically the friend of the hon. and learned Gentleman, he did hope, having agreed that the discussion should fully and fairly be taken on Tuesday, it should for the present be allowed to drop. He was sure his noble Friend himself, whose generous feelings he knew so well—[*"Hear, hear," from Mr. Sheil,*]—he repeated, in spite of that cheer, the generous feelings of his noble Friend would lead him the first to regret that he had allowed himself, in the momentary warmth of debate, to enter into the statements he had just made. Having thus cautiously abstained from saying one word, or expressing the slightest opinion, on either side of the subject in dispute, he did hope the House would not now hear the hon. and learned Member speak again on this occasion, and in refusing to hear him allow the matter to rest, in common justice, where it did for the present.

Mr. *O'Connell* did not desire, being in the hands of the House, to persevere. He was ready to submit to their opinion, whatever it might be. It having been insinuated that there was an impropriety in postponing this matter, he was entitled, he thought, to show that the charge was substantially groundless. Calumny could be insinuated in various ways—it might be insinuated out of that House, and in that House—even under the affectation of fair play and justice there might be the most malignant construction put on a charge, which the charge itself did not bear—[*"Spoke, Spoke, Chair, Chair."*] He did not wish to persevere.—[*" Spoke, Spoke."*] Well, he would finish in a single sentence. — [*" Chair, Chair."*]

The *Speaker* said, the hon. and learned Member had taken a somewhat irregular course. Either a question of this sort should be thoroughly discussed, or altogether postponed. It was not, perhaps, unnatural for the hon. Member to wish to be heard, but, having already spoken more than once on the subject, and as it was now agreed on all hands that it should be postponed till Tuesday next, the more convenient course would be, not to pursue it further at present.

Mr. *Hume* thought his hon. and learned Friend had been treated unfairly. The noble Lord had, by implication, advanced what appeared to him to be the most unfair charge conceivable against his hon. and learned Friend, namely, that his hon. and learned Friend wished to postpone the consideration of the question. The noble Lord said this, not knowing the rules of the House, and not doing his hon. and learned Friend, the Member for Dublin, the justice to recollect what the right hon. Member for Montgomery had said. The right hon. Member for Montgomery said, that to-morrow would be too early to proceed with the inquiry, and suggested that the proper time would be Monday. All that could be alleged against his hon. and learned Friend, the Member for Dublin was, that he wished the subject to be brought forward on Tuesday instead of Monday. But what did the noble Lord (Stanley) say? "I know not what may be done in the course of three or four days." Did the noble Lord think that they were all so stupid as not to understand his insinuation? He had no hesitation in declaring what he thought the noble Lord meant to insinuate. The noble Lord intended to imply, that the hon. and learned Member for Dublin asked for the postponement of the further consideration of the subject until Tuesday, in order that improper means might be used in the interval to prevent justice being done. No! What, then, did the noble Lord mean by saying that he knew not what might be done in three or four days? If the noble Lord did not intend to make such an insinuation, let him state it fairly to the House, otherwise he would tell the noble Lord that he had made a most unfair and unparliamentary attack. Besides, the noble Lord forgot, or did not choose to remember, that the hon. Member for Bradford himself proposed Tuesday. He certainly had understood the hon. Member for Bradford to propose that day; at all events, he assented to it as soon as it was named by the hon. and learned Member for Dublin. Therefore, in every point of view, the noble Lord appeared to be in fault; and he thought the House was not acting with impartiality towards his hon. and learned Friend, when it listened to insinuations against him of so abominable a nature, without allowing him the privilege of a reply. When he heard the noble Lord (Stanley) say, that during his official career he had done every thing in his power to thwart the views of the hon. and learned Member for Dublin, he thanked God that the noble Lord was no longer in office. Much had Ireland to rue the influence which the noble Lord once exercised there. Hundreds of families in Ireland had to bewail the loss of life arising from the noble Lord's infernal policy. If ever any country was treated—[*" Order."*] He was not aware that he was out of order—[*" Question."*] He was speaking on the subject of the noble Lord's speech, and in doing so, he conceived he was perfectly in order. In fact, it was scarcely possible that he could be more in order than he was at that moment, although, perhaps, the hon. Gentlemen opposite might not be very anxious to hear what he had to say. The noble Lord now admitted, for the first time that ever he had heard him, that he was the individual who did every thing in his power to ruin the influence of the hon. and learned Member for Dublin by increasing the grievances of Ireland. Some hon. Gentlemen might flatter themselves that that that was not the case; but what had a noble Lord in another place said?—that the hon. and learned Member for Dublin had more power than any other individual in Ireland. Why? What had given him that power?—[*" Question."*] He did not know why he was to be subjected to such interruptions. He was speaking as much to the point as the noble Lord opposite, whose speech had been received with tumultuous shouts of applause from those who were now seeking to put him down. If assertions which he maintained to be false were cheered, it might perhaps be some reason why those which were true should not be listened to. He pronounced it to be unfair to prevent his hon. and learned Friend, the Member for Dublin, from replying to the assertions and to the insinuations which the noble Lord had thrown out. He had stated why he considered it to be unfair; and he was sure the noble Lord (Stanley) himself, if he for a moment considered what he had said, would feel that he had thrown out insinuations against the hon. and learned Member for Dublin which were not justified by any thing which had occurred in the course of the debate. He protested against the injustice which had been done towards his hon. and learned Friend; but it was not the first act of injustice his hon. and learned Friend had suffered, nor would it be the last. He would have to bear many more, but out of them he would come with increased power and influence, to confound those who might plot or conspire against him.

Mr. *Sheil* said, that it was really of little consequence whether the debate should take place on Monday or Tuesday next; the only effect would be that the noble Lord, the Member for Lancashire, would be under the necessity of postponing, for a few hours longer, that display of generous feeling for which his noble Friend on the Treasury Bench had given him so much credit, but of which he could not help observing, that the noble Friend of the Secretary of War had given a somewhat peculiar specimen. The noble Lord, the Secretary of War, had interposed and stopped the hon. and learned Member for Dublin, who was replying to an assault made on his character, and insinuations worse than any direct imputation. The hon. and learned Member for Dublin certainly was out of order in speaking twice, but he was a party involved, and the Secretary of War might, perhaps, as well have indulged him in a slight departure from the ordinary rules of the House, as have indulged the noble Lord in giving expression to those generous feelings of which his friends on the Treasury Bench were so much better competent to judge than those who, judging merely from the noble Lord's conduct in the House, had arrived at a somewhat different conclusion. The noble Lord, the Member for Lancashire, had stated that it was not for him to conjecture how the interval between this night and Tuesday was to be employed. Generous insinuation! How characteristic of the instinctive magnanimity of the noble Lord, who adopted this mode of dealing with a political rival to whom he acknowledged that he bore no very kindly sentiments. But the noble Lord deserved not only credit for generous feelings but for perfect frankness. He told the House, that he so far distrusted his own biases and prejudices, that he would not consent to serve on the Committee. But, if he were disqualified as a Judge, what weight ought to be attached to him as a witness; and what impression ought his impassioned advocacy to produce on the House? Why did he rise at all? Could he not have waited for a more becoming opportunity, and was he hurried to-night into a premature disclosure of his motives in order to correct the learned Member for Bradford, who declared that he acquitted the hon. Member for Dublin of all corrupt dealings—[" *No, no*?"] He would repeat, that the hon. Member for Bradford had acquitted the hon. and learned Member for Dublin of all corrupt pecuniary dealing for his own personal advantage. This was, on the part of the gentlemen to whom the Tories—he liked to designate them by a title to which they had an unimpaired and indisputable title—had committed this great enterprise, a most important admission, and the noble Lord had vainly endeavoured to do away with the effect of this hon. acknowledgment on the part of the distinguished, but ever honest leader, to whom this effort to ruin the character of a political antagonist had been confided. One word more on an observation of the noble Lord. He had said that, as a member of Lord Grey's Government, he had done all in his power to thwart the hon. Member for Dublin. He had: and what was the result as it had affected Ireland and himself? The consequences of his unfortunate policy with respect to Ireland were known to all the world; and, as to the noble Lord himself, he (Mr. Sheil) would only bid the House look there! Behold him sitting in direct and ostentatious opposition to his old colleagues, whom he still designates as his noble friends. Let the House (said Mr. Sheil, pointing to the Opposition Bench on which Lord Stanley was sitting)—let the House behold that juxta position—honourable to the right hon. Baronet the Member for Tamworth, and to the noble Lord the Member for Lancashire—the great sustainer of the Reform Bill, which annihilated the party on his present side of the House—I hope not entirely ignominious and suicidal.

The petitions to be printed—Motion for the appointment of a Select Committee deferred till Tuesday.

FISHERIES OF ENGLAND.] Captain *Pechell* said, that in pursuance of the notice he had given, to move for leave to bring in a Bill for the better protection of the fisheries in England and Wales, he felt it incumbent on him to show the necessity there existed for the measure he proposed, as also to explain the means by which it was intended that the great evil complained of should be remedied; and in so doing, he should best show his acknowledgment for the kindness with which he was always received by the House by trespassing on its attention as briefly as so important a subject would permit. He would therefore remind the House that owing to the decrease of fish which had been generally complained of in the channel, a Bill was brought in in the year 1819 which was however lost on the third reading; but being renewed in 1822, it passed this House, but was lost in the House of Lords. Ever since that period, continued complaints have been made of the encroachments of the French boats, as well as of their constant aggression on the property of the English fishermen, particularly on the coasts of Kent and Sussex. These foreigners have been in the practice of coming to our shores to obtain the brood of young fish which by the laws of France they were prevented doing on their own side; and as great destruction of the brood and spawn takes place by trawl and ground nets during the breeding season, a Committee was appointed by this House in 1833 to examine into all the grievances of which the fishermen complained; and it was upon the recommendation of that Committee that the Bill he had now the honour to propose was entirely founded. "As far," continued the hon. member, "as regards the preservation of the fish in the bays and shallow waters in certain seasons, that part of the report of the Committee relating to the aggression of the French boats, will I trust be immediately taken up by the government, particularly as these vexatious encroachments are of daily occurrence by the boats from Dieppe and Boulogne, which heedless of all remonstrance, drag their trawl nets right across the floating and drift mackerel and herring nets of the fishermen of Brighton and Hastings, doing irreparable damage and inflicting great loss, and in many cases absolutely carrying off the nets of our defenceless fishermen to their own ports. Defenceless they are, because the French boats are compelled by their ordonnances to carry crews of twenty and thirty each, while those of the English boats, never exceed eight or ten." He could assure the House, that if the English boats could meet the French on anything like equal terms, the summary justice which British sailors are wont to inflict would suffice, and no demands for redress would be made to Parliament. As it was, protection had been demanded by the fishery of Brighton and Hastings, which, although it had been refused by one Board of Admiralty, had, he rejoiced to say, been granted by another; and which, he trusted, would always be continued. He should now proceed to explain the principle of the intended Bill, which had for its object the prevention of the destruction of the young brood of fish, it having been proved to the satisfaction of the Committee, by the evidence of Lord Vernon and many others, that it is essentially necessary to restrict the use of trawl and drag nets within limited distances during the breeding season of the fish, because it was ascertained that the young brood resort to the bays and shallows till they are of a sufficient size to take refuge in deeper water; and that by an experiment tried on the coast of Devon by mutual consent of preserving their breeding ground undisturbed from July to September, there was a greater abundance of fish in the ensuing season than had ever been known on that coast. The fishermen were therefore desirous that the restraint which they had thus voluntarily imposed upon their fishing should in future be enforced by law. He should therefore propose that the months of May, June, July, and August, should be declared the fence months, and that during those periods, no trawl or drag net touching the ground should be used within one league of the shore, or in less than ten fathoms water, which depth would enable French boats to fish with advantage near the great headlands without injury to the breeding ground. To accomplish which and other improvements it would be necessary to repeal certain old and most oppressive statutes as to what was deemed to be unsizeable fish. For instance, it was declared, that a brill or turbot should be sixteen inches, soles, plaice, dabs, and he believed maids, should be eight inches, to be measured from the eye to the utmost extremity of the tail, in default of which the offender to be severely whipped. Now, hon. Gentlemen would see that it was high time to get rid of such enactments, the impossibility of putting them in force being manifest, notwithstanding the newly improved yard measure introduced by the noble Lord, the Member for Devon (Lord Ebrington). He should propose to limit the size of the mesh of the nets, which, by not interfering with those delicacies called white bait, would no doubt ensure to him the support of the Cabinet Ministers, as well as of the worthy Aldermen of the City who were Members of that House. It was also necessary that conservators should be appointed. He therefore proposed to choose the conservators from the most intelligent of the class of fishermen, they being the most likely to be interested in preserving the breeding grounds. He named these persons in the first instance, because it should not be said that he was arming the Government with further powers. At the same time it was necessary, in default of obtaining proper persons to serve the office, that the Justices at Quarter Sessions should appoint the officers of the Revenue, who, from being always on the spot, would no doubt be the most efficient persons to perform the duty required. There was one recommendation in the Report of the Committee, that he could not suffer to pass without notice, and which, if the noble Lord the Secretary for the Home Department would do him the honour to place in his hands, he (Captain Pechell) thought from the experience he had obtained last Session that he could dispose of the question in a summary manner. He alluded to the tithe of fish, which the Committee recommended to be abolished, and which they found was demanded and paid in Cornwall and Norfolk. He considered that this tax was most burthensome and oppressive to the fishermen; and he trusted that the noble Lord would give his attention to the subject. As he conceived that the Report of the Committee of 1833 was conclusive, he had taken great pains to found the Bill strictly on its recommendation; and as the grievances still continued and many fishermen were driven during the winter months to the parish rates for support, in great part owing to the scarcity of fish in the channel, he confidently relied that the measure he now proposed would have the effect of improving the condition of the fishery generally.

Mr. *Wigney* rose to support the Motion of his hon. colleague, which he did with the greatest satisfaction, being aware of the grievances that had been stated, and of the acts of aggression that had been committed on the property of his constituents, by the fishermen of France. There was a petition now lying on the Table from the Directors and Guardians of the Borough of Brighton, praying that some steps might be taken to prevent the destruction of the young brood and spawn of fish, which petition both himself and his gallant colleague had supported. Believing this to be a most necessary measure, and trusting that the Government would prevent the encroachments of foreign boats, he should give his support to the Bill, which he was glad to see was so favourably received by the House.

Mr. *Barlow Hoy* also rejoiced at the prospect of the introduction of the measure by the gallant officer; but as it did not appear that any mention was made of giving protection to the oyster fisheries, he wished to call the attention of the gallant Member to the many complaints which were made by the fishermen of Chichester, Emsworth, Havant, and even of Guernsey and Jersey.

Mr. *Poulett Thomson* rose to express his approbation of the proposed measures to be introduced by the hon. Member for Brighton; but though he agreed to much of the Report of the Committee of 1833, there were some parts of it which the gallant officer would find more difficulty in accomplishing than perhaps he imagined; and that was, as regarded the interference with the fishing boats of France, which was a subject more fitting for negotiation than legislation.

Captain *Pechell* in reply said, although he might be flattered by the supposition that he could manage that most difficult and important question of the oyster fishery, he begged to assure the hon. Member that it was fortunately in the more able hands of the hon. Member for Portsmouth (Mr. Bonham Carter), who had bestowed vast attention and great labour on that subject. He, Captain Pechell, did not anticipate any difficulty in carrying through the Bill which he hoped now to have permission to bring in, because he had adopted solely that part of the recommendation of the Committee which related to the preservation of the breeding grounds. The other part relating to the foreign boats he left with his

Majesty's Ministers, as he had nothing to do with the law of nations more than to express his opinions and sentiments thereon. He therefore relied upon the support of the Government; and he assured hon. Gentlemen that any suggestions and improvements that they might tender to him should receive his best attention; and in order that the best information should be afforded, he would take care to give ample time before the Bill was brought to a second reading.

Leave given.

ENGROSSING ACTS OF PARLIAMENT.] Mr. Hume moved, that all Bills be in future engrossed in plain round hand, instead of black letter.

The *Chancellor of the Exchequer* said, that if the hon. Member's Resolution were adopted, there would then exist the anomaly of the Bills of one House being written in one way, and those of the other in a manner quite different.

Mr. *Williams Wynn* complained, that the rolls from the time of George 2nd were more illegible than those of the five centuries preceding, and he apprehended, that unless some plan were laid down which would be uniformly adhered to, it would be better they should remain as they were.

Mr. *O'Connell* said, that every reason he had heard was one for passing the Resolution of the hon. Member for Middlesex. The records formerly were written legibly, because writing not being a general acquirement at the time, the clerks made up the records. The fees being latterly abolished, the parties now made them up, and they were not so uniformly written.

The *Solicitor General* observed, that whatever other subject of complaint might exist against the Court of Chancery, that Court had enjoyed for above a century and a-half the benefit of having every thing placed on record there in a good plain round hand, and the consequence was that every word was capable of being made out and read distinctly by all persons interested.

The *Attorney-General* said there was no doubt that the old system was very inconvenient, and that many Members could not read the rolls of Parliament as they were now written. He confessed he was himself sometimes puzzled with that sort of writing, although he had studied it. Indeed, it was known that it had puzzled the printers, themselves, and the printers' devils. In the case of the printing of the late Municipal Corporations Bill, it was found, notwithstanding a supposed careful revision of the Bill, as printed by the printer employed and responsible, that some words had crept into the printed Bill which were not to be found, upon examination, on the roll itself. It would be well that a uniformity also should be adopted in the size of the letters in which these Bills were hereafter to be written, so that every one who ran might read them.

Sir *F. Pollock* said the alteration sought to be made was hardly worth contending for. Bills were not printed in black letter, and why they should continue to be written in that character he could not see. He hoped, however, that the system in use would be replaced by a better one.

Lord *John Russell* agreed with the hon. and learned Member that the thing was not worth contending for. He should, however, give his support to the Motion as he deemed some change necessary.

Mr. *Hume* said, that in consequence of the observations made in reference to the House of Lords, he should beg to withdraw his Motion for the purpose of re-modelling it, and of substituting in its place a Motion to the effect "that a message should be sent to the House of Lords, praying their concurrence in the Resolution of this House that Bills before Parliament should be written in a plain round hand instead of black letter.

Colonel *Thompson* suggested, as an improvement on the Motion, that every document of importance coming before Parliament should be printed. He could not see why that which was written should not be as well in print; nor why things should be found in one which were not in the other. With respect to ink, he was able to state that he never saw Oriental ink of any kind fade or lose colour, a fact which arose from the use of lamp black in large quantities in their ink, and its absence in ours.

Resolution agreed to.

LAW OF LIBEL.] Mr. *O'Connell* then rose to move for leave to bring in a Bill to amend the law of Libel. As this subject would be fully discussed on the first or second reading of the Bill, he trusted the House would not think it necessary for him now to go further than to state this fact—that every one admitted the law of libel to be at present in a most unsatisfactory state. The noble Lord who lately filled the office of Lord Chancellor was certainly of that opinion; and the noble Lord who now filled that office, when in that House, spoke at length and very ably upon the same subject. The obvious necessity of altering the law of libel would be shown, if he were to state nothing else than this fact—that as the slightest written imputation upon character was, in point of law, a libel, where the smallest exaggeration occurred in any one paper, which should be copied in nineteen other papers, any speculative attorney might bring twenty different actions against the parties, and if he got but one farthing in damages, he punished the parties in penalties perhaps of 500*l.* in the shape of costs. There was another part of the law of libel which required amendment, though he admitted it should not be approached without caution. At present it was a criminal offence to charge any man with any crime, or with anything that might make him appear ridiculous, however he might merit the charge. It was a crime to tell the truth—indeed, it had been said that a libel was aggravated by the force of its truth. Now, without concurring at all in that opinion, or of being supposed to give any countenance to it, yet there was no lawyer, in or out of the House, but who must admit that it was no defence in the case of criminal proceedings for a libel to prove the truth of the words. And this anomaly also existed—that if one person published the truth concerning another, with however innocent a motive, yet, in the case of criminal proceedings against him, he was convicted and punished; but if he published the truth, with however malicious a motive, and however injurious it might be, yet, in a civil action, no redress was made to the injured party, and this arising from the circumstance that in a criminal proceeding the truth was no justification, while in a civil action it was. Without entering further into the subject, he begged to move for leave to bring in a Bill to amend the law of Libel.

Sir *Frederick Pollock* admitted that the law of libel was not in a satisfactory state, and that it required considerable alteration. It was impossible for any one, acquainted with the proceedings of the courts of law upon the subject, not to be impressed with the truth of the remarks which had fallen from the hon. and learned Member for Dublin. He, for one, should be happy to contribute whatever was in his power, in the way of suggestion, to the amendment of the present law; at the same time, if the Bill should be introduced with the same amendments as were proposed last Session of Parliament, he must in candour say, that he could not give it his entire concurrence, for he entertained considerable doubt as to the propriety of several of those amendments being adopted.

The *Attorney-General* said that one great evil arising from the present law was this, that the most atrocious libellers were afforded the pretence of complaining that in the present state of the law of libel justice could not be obtained. The most atrocious libellers defended themselves by mixing up their cases with the cases of those against whom some pettifogging attorney had brought the most unfounded actions. The hon. and learned Member for Dublin had pointed out two imperfections in the present law, upon which alone he was fully entitled to ask for leave to bring in his Bill. The first was, that any speculative attorney might bring an action merely to put the costs into his own pocket; because (by an absurd distinction made where no real difference existed,) if, in an action brought for a written slander, where no real injury had been sustained, the Jury gave only one farthing damages, that would carry full costs; whereas, if the action were for words spoken and the Jury gave a verdict of one farthing damages, the plaintiff would be entitled to no more costs than damages. Another fault pointed out was, that at present the consideration of the truth in all criminal cases was excluded. He thought the truth ought always to be admitted to be given in evidence, and that it should go to the Jury for them to say whether the publication was *bonâ fide* and justifiable, or whether it was done from malicious motives. Ample justice would then be done to the party, and a sufficient protection would, at the same time be afforded to the public, which they did not now enjoy. He agreed with his hon. and learned Friend (Sir Frederick Pollock) that several of the provisions in the Bill of last Session were objectionable; but, at present, he gave the Motion of the hon. and learned Member for Dublin his entire concurrence.

Leave given.

The British Museum.] Mr. *Estcourt* moved that a select Committee be appointed to inquire into the condition, management, and affairs of the British Museum.

Mr. *Warburton* was glad the hon. Member had moved for the appointment of a Committee on this subject; and he hoped that, in addition to the opinions that had been expressed by the witnesses who were examined before the Committee of last Session on the subject, the opinion on the constitution of the Board of Trustees, which had been published within the last few days, would be laid before the Committee, because he considered it to be the opinion of one who was a great authority on the subject. It was that of a late President of the Royal Society, Sir Humphrey Davy. The hon. Gentleman then read an extract from the publication to which he had referred. After stating that of late years the trustees had always been chosen from a branch of the aristocracy, or of gentlemen who possessed some Parliamentary influence, Sir Humphrey proceeded to say, "that the Archbishop of Canterbury, the Lord Chancellor, and the Speaker of the House of Commons, were considered as the really acting governors of the institution. But overwhelmed as those great officers must be with the religious, legal, and legislative affairs of the country, it could not be supposed that they could have much leisure or opportunity to attend to the government or management of a national institution of that kind. All the officers of the Museum —librarians and curators—were elected in turns by the Archbishop of Canterbury and the Speaker of the House of Commons, for the late Lord Chancellor, Lord Eldon, always refused to act as trustee, considering (and very properly so) that he had other duties more essential to discharge. It was not to be wondered at, therefore, that among the curators, librarians, and sub-librarians, there should be found many persons taken from the inferior departments of the church and public offices. The places were, no doubt, filled with respectable and well educated men, but not by men naturally fitted to hold them, either by their knowledge as naturalists, or as being profound in taste for antiquities and collections of works of art." Sir Humphrey Davy then stated this emphatic opinion:—"There must be a general change in every thing belonging to this institution before a proper system of radical improvement can be effected." This was not the opinion of a Radical Reformer, for he believed that in politics Sir Humphrey Davy was a great Tory. Sir Humphrey proceeded to say, "that it appeared to him this was the best moment for a distinct, radical, and fundamental change to be made in every thing belonging to this ancient, misapplied, and he might almost say, useless institution;" in consequence of the care of this great institution being devolved upon a Board composed of gentlemen who could not be supposed really to understand the affairs and circumstances of it. Meanwhile men of science formed themselves into different societies, and at their own accord, and at their own expense, undertook the promotion of those various departments of knowledge to which they were peculiarly devoted, feeling that it was hopeless to look to the British Museum, as at present constituted, for that encouragement to those different branches of science and art which, as a national institution, it ought unquestionably to afford.

Mr. *Estcourt* hoped that the Committee would have the valuable assistance of the hon. Gentleman (Mr. Warburton) in the examination which would ensue into the condition of the institution, as one of the first names placed in the list was that of the hon. Member. He would in his place then have every opportunity he could desire of making his communications with practical effect, and it would, perhaps, be better to reserve any discussion on the constitution of the Board till then. He also hoped to have the assistance of the several Members who sat on the Select Committee last year, as their names would also remain on the list if the House had no objection.

Mr. *Hume* contended that there ought to be a radical change in the system of management. The way the funds were applied showed that the Board were not sufficiently at leisure to attend to considerations of economy and public utility. Where an individual had six or seven engrossing and important duties to perform it was impossible that he could discharge them all satisfactorily, and it was the duty of those who granted the means of supporting the establishment to arrange measures so that in future there would be nothing for the public to complain of. Looking at the present state of its affairs, he must declare that it was imperative on the Gentlemen connected with that institution to defend themselves, and unless they make a good defence it would be impossible for Parliament to allow them to continue in their present position.

Mr. *Ewart* agreed with the hon. Members for Bridport and Middlesex on the necessity of Reform which existed in the management of this great national institution, and change in the constitution of its Board, composed as the latter were of trustees of three kinds—hereditary, *ex-officio*, and elective. It could not be denied by any rational man that this great institution should be thrown open to the public who paid so liberally for its maintenance. He thought it ought, for the convenience of that public, to be kept open all day, particularly in the evening, and every day, Sunday and holiday. It contained the only public library in the metropolis, and it was a national reproach that it was not rendered more accessible and useful. It appeared by the Report of last Session, that there were in Paris five libraries, open at all times to the public, and to all persons, whether they came on foot or in a carriage; and here he begged leave to give his opinion, that a great obstacle and a great bar to the utility of our library, consisted in our requiring tickets of admission, which, though they could be procured by properly asking for them, were yet the means of keeping many out who would otherwise avail themselves of its advantages. At the Bibliothèque du Roi, on the contrary, any one could enter at once without any question, and every one enjoyed the opportunity of improvement. He thought there ought to be a library open to the public in every section of London, and hoped that the establishment of such libraries would be one of the earliest fruits of Municipal Reform.

Lord *Sandon* said, he had heard that great inconvenience resulted from the Parisian system of indiscriminate admittance—that books were constantly lost from the shelves, and nothing was more common than to see books for sale on the stalls in the street marked with the stamp of the Royal Libraries. He had heard no complaint of that kind made of carelessness or loss of property concerning the British Museum, but on the contrary, was happy to find that, with the best arrangements for safety, the public were afforded increased facilities, both for the inspection of the Museum and the library, and that the readers were becoming more numerous every day. He deprecated the discussion which had been thus prematurely started, and which, he felt, would have the effect of prejudicing the question in the eyes of the public. He had every wish that the state of the institution should receive thorough investigation and impartial consideration. The Committee had sat long last year, and he hoped it would sit longer this year, as he anticipated that great advantages would arise, which, however, it would be premature to enter on at present.

Mr. *Hawes* begged to acknowledge the obligations which the Committee of last year had been under to the noble Lord (Sandon) for the great care and kindness he had manifested in procuring every valuable information for their use. The returns which he had furnished them formed the best foundation for the proceedings of the Committee, and had received the attentive consideration they were justly entitled to.

Committee appointed.

HOUSE OF LORDS,

Friday, February 12, 1836.

Minutes.] Petitions presented. By Earl **Brownlow**, from the Agricultural Association of Boston, for Legislative Protection to Agriculture.—By Lord **Holland**, from Prisoners in the Fleet, for Abolishing Imprisonment for Debt.

The Civil War in Spain.] The Marquess of *Londonderry* assured their Lordships that it was with the utmost diffidence and reluctance he rose to make a few observations upon the subject of the Motion of which he had given notice, relative to our interference with the affairs of Spain. He was sorry to bring forward such an important subject so early in the Session, but as he had been precluded from offering a few observations on that part of the Speech which referred to Spain, he felt that he was bound to take an early opportunity of calling their Lordships' attention to the matter. He had on many occasions been obliged to animadvert upon the refusal of all information from the Government, and the indifference with which he had been treated by the noble Viscount when he had felt it his duty to ask any question relative to Spain. Last Session, the noble Lord, when alluding to the convention of Lord Eliot, had said that there was no doubt but that it would extend to all Englishmen engaged in the Spanish service; and only the other day, the noble Viscount said, he did not know whether the decree of Don Carlos was retrospective in its operation or not. Events had shown the noble Viscount's ignorance, and he must say that there seemed to be a great deal of indifference on the part of the Government to this important question. They had been loud in their vituperation of Don Carlos for the order he had put forth; but it was well-known that he had not had recourse to such a severe measure, until he was driven to it by the brutalities of the Christinos Generals,—it was a mere matter of retaliation. He was sure that that decree was contrary to the feelings and wishes of Don Carlos. The Government seemed bent upon nothing but upholding the cause of the Queen. What was the immediate object of the passage in the King's Speech with regard to Spain? Was it not to give to Europe at large the belief that the present Government of Spain, by its prudence, firmness, and vigour, would be able to re-establish peace in that country? What he contended for was, that the House ought to be informed fully and faithfully, of the grounds upon which the hope expressed in the royal Speech of so satisfactory a termination of things in Spain rested. To him it appeared that the propagation of such a notion was the propagation of a fatal delusion. What was there in the past or present state of Spain—where was there any appearance of harmony or stability, to warrant the belief of a speedy settlement in any judicious mind? Within the last eight months Spain had had four or five different persons at the head of affairs. The last, he believed, was transported from the Stock Exchange of London to assume the reins of Government in Madrid. What had been that gentleman's course since he was there? Had he performed any of those prodigies the world was given to expect from his genius? Or, in fact, had he done anything to sustain the reputation so confidently boasted of by the noble Viscount opposite and his colleagues? He had undoubtedly ordered a levy of 100,000 men to drive Don Carlos from his mountains; but he had not yet got his 100,000 men, nor would he, in the opinion of any person at all acquainted with the country, or the circumstances of it, get more than one-tenth of that number. He had no confidence, therefore, in the military strength of the Queen's Government. With respect to finance, it was said that Mr. Mendizabel had prepared a plan concocted in his own brain; but it had not yet transpired, and therefore nobody was enabled to pronounce an opinion upon it. Next, this minister had dissolved that very Cortes from which he, a few weeks ago, solicited a vote of confidence. He had seen his armies go forth from Vittoria to the mountains to beat the Carlists, and he had seen them beaten back again to Vittoria, and shortly, no doubt, he would see them in full march upon Madrid. Yet such was the opinion entertained by the present Government of the resources of this man, that they put into the mouth of his Majesty the public expression of a hope that, from so much vigour, prudence, and firmness, the pacification of the entire Peninsula might be expected. Only a few months ago they had heard or seen a speech delivered by the Foreign Secretary in another place, to which he would now allude, for the purpose of showing what confidence could be placed in the prophesying of that noble Lord. The noble Lord had stated that he looked upon the success of Don Carlos as impossible—that the majority of the people of Spain were in favour of the Queen, that there were only 10,000 or 12,000 men in arms against the Government in one or two of the remote provinces of Spain—that it was only to put down those partial and local insurrections that their efforts were to be made, that the resistance to the Queen's authority had been confined to two or three particular provinces, and that no disturbance had broken out in the rest of Spain. Would the noble Secretary now say, that no other province had declared in favour of Don Carlos, and that disturbances had broken out in no other provinces? Instead of 10,000 or 12,000 men, Don Carlos had in Biscay and Navarre 30,000; in Catalonia 22,000; in Arragon 7,000; in Gallicia 6,000; he believed, in all, 80,000 or 90,000 men. Yet with such statements as these, how was it possible they could express confidence in the prudence, vigour, and firmness of the present Government of Spain? He called upon his Majesty's Ministers to show one instance in which the Government of Spain had manifested prudence, vigour, or firmness. There was nothing mentioned in his Majesty's Speech relative to the Belgians. Was he to congratulate the noble Lord opposite that the question between Holland and Belgium was decided? Were they to express such confidence as they were called upon to do, he had no hesitation in saying, that it would meet with the most perfect derision throughout the whole of Europe. It was to Europe this country was to look. There were no doubt many noble Lords who might be very deeply interested in the domestic policy of their own country that their attention was not awakened to foreign affairs; but he would say, look to those great allies who had carried this country through the struggle in which she had been engaged. What would those great allies say, when they found it was declared by his Majesty's Speech, that the firmness, prudence, and vigour of the Government of Spain, gave a confident hope of a speedy termination of the warfare? When he found these passages in the Speech, deeply interested as he felt in the foreign policy of Europe—when he felt further the degradation in which the profession to which he had the honour to belong, had been placed by the mode in which the warfare had been carried on, carried on in a manner that would certainly throw shame and defeat, and every thing that was disgraceful, on the British troops, and give the praise of any victory to the Spaniards—he could not refrain from bringing the subject under their Lordships' notice. He could not but feel strongly at the manner in which the present Government had connived at the scenes of slaughter and butchery going on between the combatants in Spain; and which were calculated, so far as this country was concerned, to cover it with disgrace. That was one object of his inquiry. He wished to know from the noble Viscount opposite, if he would have the goodness to tell him, what steps were about to be, or had been taken to alleviate those scenes of horror and bloodshed to which he had alluded? If the person at the head of the Government of Spain, who seemed to possess so much influence over the Queen, really had the power represented by his Majesty's Government, he could put an end to these enormities if he were *bona fide* determined to do so. The noble Lord could not be ignorant of them, for a short time ago a letter had appeared in all the papers, professing to have been written by the noble Secretary of State for the Foreign Department (Lord Palmerston) to the Bishop of Leon. In that letter the noble Lord seemed to have departed from his usual *suaviter in modo*, and to have adopted the *fortiter in re* of his allies. The letter seemed to him to have been most useless and uncalled for. It served no good purpose, and indeed no purpose that he could discover, beyond that of firing a phillipic against the unfortunate Bishop. If the noble Lord had been merely looking out for an opportunity of showing the ability of his pen, he might have addressed a despatch to Count Nesselrode upon any of the numerous circumstances in the conduct of Russia calculated to excite his ire; or he might have selected that publication called "*The Portfolio*," for the desired display of his powers, and in order to create a sensation throughout Europe. The singular part of the letter, however, was, that the thing requested by the Bishop of Leon, the requesting of which so excited the wrath of the noble Lord, was exactly what the noble Lord had done a month before the receipt of that letter. Now, he wished the noble Viscount opposite to say, whether he would object to place the letter of the Bishop of Leon and the answer of the noble Lord before the House, that they might be able to judge for themselves as to the success of the application. If the noble Lord would show a determination to act up to the letter and spirit of the convention, he was sure there would be an end of all those atrocities which made Europe shudder. It was in vain to deny that these examples of butcheries and slaughters were infectious. They went from one camp to another; and he was sorry to say that our own unfortunate troops who were seduced into the service by the speeches of the noble Secretary of State for the Foreign Department about the glory and honour of the cause, and misled by the declaration of the noble Viscount opposite, that they would be protected under the convention—he was sorry to say, that they had caught the infection of assassination. He confessed that he felt deeply the dishonour brought upon the character of the British soldier by these proceedings, for British soldiers (the mercenaries, as they were called in Spain) they must be considered. After the last battle circumstances the most disgraceful had occurred. He was in possession of documents, and he should be ready to show his authority to prove to the people of England, to the army, and to Europe, that the British Government, instead of boldly, manfully, and courageously carrying on war, as was due to the honour and ancient character of the country, was, in fact, doing the same thing in a weak, vacillating, furtive, and unintelligible manner, which would hereafter produce the most fatal consequences as regarded our foreign policy and relations. The noble Lord read from two letters in his possession descriptions of the massacre of some Carlist prisoners by the soldiers of General Evans. One was dated from St. Jean de Luz, and stated, that on the "17th ult. the soldiers of Evans, returning to Vittoria, perfectly drunk, and in a state of exasperation at having been beaten, fell upon and murdered 130 Carlist prisoners in their hands. The officers did all they could to arrest the massacre, but in vain."

Now, he begged to ask, what must be the state of discipline of the soldiers of that army if their officers had no power over them? He had good authority for stating, that upon the occasion of the last attack of the British upon the Carlists, they were in a state of the most gross intoxication. With such information, what, he asked, must be his feelings, as a soldier, if he were to take no notice of such proceedings? The noble Secretary of State for the Foreign Department had told this country that the troops of the Queen were greatly superior in force to those of Don Carlos; and he then went on to taunt that Prince on the ground of his remaining in the mountains of Navarre for security. Don Carlos, he had no doubt, recollected the conduct of the Duke of Wellington when he entrenched himself within the lines of Torres Vedras, returning, year after year, to those lines till the country was ready effectively to aid him upon his leaving them. Don Carlos was also too wise and prudent to leave the mountains till he was in possession of a force throughout the country which would leave no chance of his meeting with disaster. He hoped this wise conduct of Don Carlos would inspire his Majesty's Ministers with the opinion that his firmness and vigour would speedily bring the contest to a termination. Sure he was that there was no vigour, and no firmness on the other side. For these reasons he was of opinion that that part of the royal Speech referring to Spain was ill-advised, and he entered his humble protest against it. He must also take that opportunity of noticing the denunciations uttered in the public press against that House. He hoped their existence was not so exactly limited as had been foretold. Six weeks, he understood, was the allotted term of their existence as a House in their present state. This had been stated openly throughout the country by one supposed to be in connexion with the Government; and when he found them so passive upon home affairs of great importance, as he thought, as not to come forward to disavow and denounce such sentiments, he confessed he could entertain no confidence in them with regard to their conduct of the foreign affairs of the country. As to the returns for which he was about to move, his object was to know the grounds upon which warlike stores were furnished to the Queen of Spain, the extent to which they were furnished, and how they were to be paid for? Upon these subjects he had only the treaty of April 22, 1834, and the additional articles to that treaty of August 18th, 1834, to refer to for information. By the additional articles of the Quadruple Treaty, the king of the French engaged to take, in the portion of his states near to Spain, the measures best calculated to prevent any sort of assistance in men, arms, or ammunition from being sent from the French territory to the insurgents in Spain; and on the part of England it was stipulated in the second article—"That the king of England engages to supply to her Catholic Majesty all the assistance of arms and ammunition she may claim, and, besides this, to assist with naval forces should this become necessary." By those stipulations it would be seen that France was left free to fulfil her part of the agreement in the manner she deemed most fitting, whilst this country was tied down to the very letter of the stipulation, and this was the treaty which hung round the neck of the late Administration. But how differently had they acted, even with this clog upon them. But what was the nature of our stipulation in Spain? It could hardly, he should think, be expected that the present Parliament would consent to furnish supplies of arms and ammunition to one party in Spain, if the payment by that party for these supplies were to be left till the struggle should be terminated; for that struggle might be protracted for a period beyond calculation. It was evidently a struggle in which each party sought the extermination of the other. Had the Duke of Wellington remained in office, the differences of the parties would have been arranged before now. The Duke was using his utmost endeavours whilst in office, and he (Lord Londonderry) pledged his faith as a soldier, that he would have settled the question in a satisfactory manner if he had continued. In conclusion the noble Lord moved for a return of "all warlike stores, clothing, accoutrements, arms, ammunition, artillery, and Congreve rockets, and also of all naval stores of every description, furnished to the Queen of Spain by Great Britain, stating the value of the same, and if any and what payments had been made for the same; likewise, a return of the names, rank, and number of officers upon the half-pay of the British service at present serving in the army of the Queen of Spain."

Viscount *Melbourne* meant to offer no

opposition to the production of the return moved for by the noble Marquess. It was natural that the noble Marquess should wish to have such information, and there could be no objection on the part of his Majesty's Government to furnish it. With respect to the question of the noble Marquess, as to whether the stores and warlike articles furnished in pursuance of the treaty were to be paid for, he had to state that, of course, they were not furnished gratuitously. They had been furnished upon the undertaking of the Spanish Government to pay for them. Having stated this, he begged to remind the noble Marquess, that in answer to a question put to the Duke of Wellington when in office, he had strongly declared it as his opinion that in the present state of the Government of Spain, and the circumstances of that country, she ought not at present to be called upon to pay for the warlike stores furnished by Great Britain. That was the noble declaration of the Duke of Wellington—that was his interpretation of what was the duty of the Government of this country under the treaty entered into with Spain—that was his Grace's view of the best manner of upholding the honour of the country and supporting the national faith, thereby, according to the noble Duke's invariable practice, doing his best to maintain the honour, good faith, and dignity of the Crown. He was sure the noble Marquess would see that his Majesty's Government could not do better than follow the example of the noble Duke in that respect. Of course the supply of these stores was not to be unlimited; but was to be bounded by the circumstances of the case, and the discretion of Government, due regard being had to public economy, the state of the contest, and the convenience of this country. The noble Lord had taken this opportunity of making some remarks upon a portion of the Speech which his Majesty had been advised to make at the opening of the present Session of Parliament. He must say that he could not see why the noble Lord could not have adopted, as a more natural occasion for delivering these sentiments, the period when his Majesty's Speech, or the Address in reply to it, was under discussion before their Lordships, instead of this day, upon the mere motion for papers. The noble Lord seemed to intimate that he had found some difficulty in fixing upon a fitting occasion for delivering his sentiments upon the subject in question. But he must say, that as long as it was the practice in their Lordships' House, by a tacit understanding, though that, he must say, was most irregular and inconvenient, and very unfair to those who were expected to make replies—as long as any time, and the opportunity of any sort of business being before the House, was considered appropriate for the introduction of any question or remark whatever which any noble Lord chose to offer, the want of opportunities to make speeches was the last thing he had expected to hear complained of by the noble Lord. The noble Lord had mentioned one circumstance which he (Lord Melbourne) could wish he had omitted, but which, having been mentioned, he could not allow to pass over without observation. What the noble Lord had alluded to was that passage in his Majesty's Speech which referred to the intimate union existing between this country and our powerful neighbour, France; an allusion which the noble Lord seemed to consider an invidious one, and tending to disparage the importance of our friendly relations with other European powers. He could assure the noble Lord that no such sentiment was intended to be conveyed by the paragraph alluded to, which certainly was not intended to express an attachment to any particular State or Power in preference to what was due to the rest of our foreign relations. This, however, he must be permitted to say, that, considering the rivers of blood which had been made to flow in that unhappy country, in carrying on long and implacable warfare, in which all the Powers of Europe were involved—hostilities which might arise again if cause existed for them—considering this, he did not think it unnatural to congratulate the world, and particularly that portion of the world which had been devastated and divided by past unhappy contests, that an earnest had been received for the continuance of peace and union between this country and France. The noble Marquess had next adverted to the affairs of Spain, into which he had gone at considerable length. With respect to the cruel decree which had been issued by Don Carlos against foreigners engaged in the civil contests in Spain, the noble Lord had declared that that decree had been issued most unwillingly by that prince, and only adopted as a necessary means of retaliation for the cruelties to which his own soldiers were still exposed at the hands of the Queen's Generals. Undoubtedly the cruel and bloody character of the contest now carrying on in Spain could not but be deeply deplored by every observer, and he was sure the noble Lord did his noble Friend the Secretary of State for the Foreign Department no more than justice when he admitted that everything had been done by him which was in his power to restrain those horrible proceedings. For his own part, he (Lord Melbourne) could prove that no case of the kind had been brought before his noble Friend in which he had not remonstrated, and earnestly desired that means might be agreed upon and adopted to prevent the recurrence of these cruel acts of retaliation. With respect to the alleged unwillingness with which Don Carlos had been brought to adopt this decree, and the leniency with which it had been hitherto acted upon in many cases, he could only say, that upon every occasion when communications had been addressed to Don Carlos, or his officers, on the subject, the reply had been that the decree was still in force, and that Don Carlos had always intended that it should be strictly adhered to. The noble Lord had further stated that some of his Majesty's subjects engaged in these contests on the part of the Queen Regent of Spain, had been in many cases guilty of similar atrocities to those complained of in Don Carlos. For his own part, he could only say that he had never heard of any circumstances of the kind; on the contrary, from all he had heard of the conduct of the British auxiliary troops in Spain, which the noble Lord alleged was such as to degrade them as men, and by which he further declared the very name and character of a soldier was lowered and vilified; so far from this being the case, from all which he (Lord Melbourne) had heard of the general conduct and character of these troops, their courage in action, and their patience and subordination under the trials and privations to which they were necessarily exposed, they were such as he would assure the noble Lord, so far from disgracing the name of Englishmen, might do honour to the very troops which the noble Lord himself had at one time commanded in the same country. He would take this opportunity of observing, that in the course of the recent debates upon the King's Speech, two distinct principles appeared to have been laid down, one in that House, and one in the other House of Parliament, by neither of which, he begged to declare, would he consent to hold himself bound. One of these rules was, that Ministers had no right to call upon the House to pledge itself to a principle upon any matter upon which the Parliament was to be afterwards called upon to legislate. The other rule was, that his Majesty should not be allowed to advert in terms either of praise or disparagement to the conduct of a foreign Government. Now, for himself, he would declare fearlessly, that neither of these rules was founded either on precedent or reason. It might, he thought, be very necessary in many cases to call upon Parliament for a distinct declaration upon a matter of principle. With respect to the other rule, it might be equally necessary, in many cases, particularly in time of war, to call upon Parliament for an expression of its opinion in reference to the conduct of a foreign Government. But his noble Friend himself had broken through this pretended rule, by going, as he had done, into statements, in order to prove the weakness and imbecility of the Queen of Spain's Government, instead of the prudence and firmness which had been attributed to it by the King's Speech. These allegations he would not then take into consideration; but he would declare that, considering all the facts which were before them, he did believe that the language which had been used in that Speech was not of an exaggerated character; and he had every reason to hope that a speedy and happy termination would be put to the Spanish contest, through the means now in operation. It was of the utmost importance to the peace of Europe that this contest should terminate, and he had every reason to believe that the hopes which he had expressed upon this subject would prove well founded. He did not think that there was any other matter in the noble Lord's speech immediately calling for observation, nor was there anything, he believed, to be added on the subject for the satisfaction of his noble Friends around him; he should, therefore, conclude by again stating that he had no objection to offer to the motion of the noble Lord.

The Earl of *Aberdeen* said, that as the noble Viscount opposite offered no opposition to the production of these papers, he did not rise to say anything upon that point, nor to enter into any inquiry as to the general course of foreign policy pursued by his Majesty's Government in respect to Spain. At the same time, however, he must be allowed to advert to some particulars connected with affairs now going on in Spain, which he felt certain every noble Lord in that House, and every individual in the country, must regard with feelings of horror and disgust. He spoke of the manner in which the hostilities had been carried on in Spain, not only between the parties concerned in the contest, but also by third parties, aliens from the Government of the Queen Regent of Spain, and belonging, themselves, to a nation which specially claimed for itself a constitutional and liberal character. Yet these very men had committed atrocities equally horrible with those committed by either of the two contending parties themselves. Whether or not the conduct of the Queen Regent's Government had been characterised by that vigour and prudence which had been attributed to it in the King's Speech, he was not prepared to say. He should prefer waiting to see the evidence of that prudence and vigour. Of course his Majesty's Ministers must have been in possession of what they considered sufficient evidence on this point before they ventured upon such a public expression of opinion; for he recollected very well, that upon former occasions noble Lords on the opposite side of the House had been very scrupulous about making observations of the kind upon the conduct of foreign Governments, particularly in a case not long ago, when one of the nearest, the best, and the most intimate of our allies was the one alluded to. The purpose for which he (Lord Aberdeen) principally rose, however, was to state, that if he abstained from entering upon a discussion as to the general foreign policy pursued by his Majesty's Government, it was not from any feeling of tacit approbation of that policy—very far from it. The case of Spain was one of disputed succession. He did not quarrel with noble Lords opposite for supporting the legality of the Queen's Government. Whatever might be his own opinion upon that point, he would be the last to say that, when once a treaty had been entered into to that effect, that treaty should not be adhered to fully and entirely. The noble Viscount, in his observations, had only done justice to the conduct of the noble Duke (Wellington), and he appealed to the noble Viscount confidently whethe the Administration of a right hon. Gentleman in the other House, through the conduct of the noble Duke, who then held the seals of the Foreign Department, had not honourably and faithfully executed the provisions of the treaty in question? But, if the noble Viscount should infer from this statement that that noble Duke entertained a different opinion as to the policy of the country from that which he had just expressed, he would greatly deceive himself; for the noble Duke thought as he (Lord Aberdeen) did, that a treaty which had been sanctioned and ratified by the King was binding so long as it existed. To bring this fact before the House was the principal object he now had in view; but there was one other point to which he should advert before he sat down, as he could not abstain from expressing his regret that his Majesty's Ministers had not continued to execute the Quadruple Treaty, according to its provisions. He regretted that they had permitted the enlistment of British subjects into the Spanish service. He did not intend to enter into the many reasons which might be adduced upon this point, as there was one objection sufficiently obvious to every man. He repeated again his regret that his Majesty's Government had not thought proper to adhere strictly to the terms of the treaty, instead of suspending an Act for the purpose of permitting British subjects to enlist into a foreign service. He should now purposely abstain from proceeding with the subject, and if he might venture to make a recommendation to the House, it should be, not to carry the discussion any further on the present occasion.

Motion agreed to.

ECCLESIASTICAL COURTS' CONSOLIDATION BILL.] The *Lord Chancellor* said, that in rising for the purpose of laying on their Lordships' Table a Bill for the Consolidation of the Ecclesiastical Courts, and for the more efficient administration of justice in them, he should not enter into much detail upon the subject. At the same time it might not be inconvenient, as the subject was one of great importance, and the grievances it was proposed by the Bill to remedy, of considerable extent, shortly to state the outlines of the intended measure. Their Lordships were doubtless aware of the amazing variety of questions which, according to the existing state of the laws, might be brought under the jurisdiction of the Ecclesiastical Courts; and the reason probably why the country had escaped from many of the grievances and inconveniences which the nature of the existing laws was liable to produce was, that in very many of the cases to which he was about to refer, the powers of these courts had fallen into desuetude. One of the most important jurisdictions of the Ecclesiastical Courts was in questions of probates of wills, and in granting administration of the property and effects of an intestate. In former times, when the property of the country consisted chiefly in land, the importance of this jurisdiction was not so great as it was at the present time, when so large a portion of the property of the country was in the shape of money and other personalty. It now became a most important consideration, therefore, how far the law as it stood provided for the due administration of what was required to be done in this matter. Another important branch of the jurisdiction of the Ecclesiastical Courts was, that in reference to matrimonial contracts, questions as to the validity of marriages in the first instance, questions arising after marriage between the parties, and questions as to the restoration of conjugal rights, all questions of the utmost importance in themselves, affecting, as they did, obligations and rights most solemnly entered into and agreed upon between parties, which should not be interfered with except upon sufficient grounds of pure necessity, all these were questions which the Ecclesiastical Courts had to decide upon. But although these were some of the most important duties of the Ecclesiastical Courts, they were by no means all which fell within their province. These Courts held jurisdiction at present over matters of legacies—a very imperfect jurisdiction, it was true, for in all cases of legacies with trusts attached to them, and in all cases of legacies connected with church or landed property, these Courts were prevented from adjudicating. Their jurisdiction, therefore, upon such matters as these was very limited, and of very little use. Another part of the jurisdiction of the Courts was in matters of tithe. But this jurisdiction entirely ceased in any case of prescription or *modus;* and so it resulted, that in almost the only cases where the interference of those Courts could be of use, they were prevented from interfering. A very simple course was, therefore, open to every one, upon being sued in one of these Courts upon a matter of tithe, and that was to put up a plea of prescription or *modus;* and, by so doing, remove the case from the jurisdiction of the Court. Another matter in which the Ecclesiastical Courts now hold jurisdiction was that of church-rates—duties which they were very ill adapted to execute, and which, it was thought, might be much better performed by another process. He would pass over one or two other minor matters in which the Ecclesiastical Courts now held jurisdiction, and which were not included in the provisions of the present Bill, amongst which were questions connected with pews and seats in churches. He proposed to leave the authority of the bishops over the clergy in matters of church discipline untouched in substance, though in form of execution he had some amendments in contemplation. The proceedings at present were not only dilatory, but exceedingly expensive, not only to the party accused, but too frequently to the accuser. Some provisions to remedy this might be introduced in a future Bill to regulate the proceedings with respect to the clergy, and which would have the effect of giving the bishops a more salutary jurisdiction. Amongst other duties which still attached to the Ecclesiastical Courts, were those which they were said to execute *pro salute animæ,* as to the suppressing of immoral practices; but it appeared that whenever their attention had been called to matters of this kind, it had been attended with very great expense, and with very little benefit. He would pass over other slighter heads of their jurisdiction, as for instance, against indecent brawling in church-yards &c., in which they possessed very extensive powers if they chose to execute them. The processes by which the Courts were called upon to act in these cases were those of admonition, penance, excommunication, and others. Statutes of comparatively recent date, whilst they confirmed the principle and nature of the judgment of these Courts, pointed out a different course of action. Having stated some of the powers and duties of these Courts, he would now state the number of them, which was no less than 386. Many of these Courts had been constituted upon a much better footing than others. About 300 of them were peculiarly constituted during the time of popery, when jurisdiction was given in these matters to particular monastic institutions, and also to certain manors, the jurisdiction of which remained to the present day. He need hardly draw their Lordships' attention to the very great inconvenience which must necessarily be felt on account of the great number of these courts by all parties who happened to be concerned in matters within their jurisdiction. There being for instance so many courts to which a party might resort for the purpose of proving a will or obtaining administration, how was it possible for any person wishing to object to such a process to find out where it was being carried on? The course such a person had to pursue was, to issue a *caveat*; but, amongst 360 courts, which should he resort to in the first instance for the purpose of tendering his caveat? and how long might he not be going from place to place, in hopes of finding out the court in which it was available? It so happened, however, that parties were afraid of applying to any of the Local Ecclesiastical Courts upon matters of this kind, on account of the inconvenient state of the law, by which it was provided, that if part of the deceased person's estates, to the amount of only *5l.* was within the jurisdiction of another court, the process, when taken out, would be invalid. In consequence of this it happened that the course generally pursued was to take out probates of wills and administration of the effects of an intestate in the Prerogative Court of London. It was scarcely possible also to suppose that judges could be found for all the Local Ecclesiastical Courts who, aided by counsel, experienced as they themselves should be in all the intricate points of law on these subjects, should be able to decide upon such matters. An absolute necessity, therefore, appeared to exist for the establishment of some comprehensive and settled plan upon the subject. Another evil resulted from the great number of these courts—namely, the multiplicity of appeals. There was an appeal first to the Bishop's Court, then to the Court of the Arches, and from thence, until very recently, there was an appeal to the Court of Delegates, and there was now a last appeal to his Majesty in Council; and so it happened that parties could appeal to every one of these courts, at every stage of the proceedings, indeed as was very frequently practised, before the cause had stirred a single step. He admitted that that very privilege at present tended greatly to prevent the increase of the other evils which would result from the constitution of these courts parties being generally induced to appeal at once from the inferior courts, as a preliminary step, not on account of any matter connected with the merits of the case, but because they were anxious to escape from the authority of an inferior tribunal. The importance of having some general place in which all documents affecting property might be deposited, was a question which had been much discussed. An objection had been raised against this proposal, from an apprehension that it might lead to the publicity of circumstances connected with many persons' titles, which they might wish to keep private. This objection could not apply to the matter of wills, which could not be acted upon till after probate had been granted; and when once this was obtained, the contents of the will itself were open to all who were fortunate enough to find out where it was deposited. Now, if one certain place were fixed upon at which probates on all wills could be obtained, it was evident that persons might more easily resort to them, which he apprehended would be a great convenience. The measure which he was about to submit to their Lordships on this subject, was one which had received particular consideration from many of the ablest authorities of the law. In 1812, the late Lord Stowell proposed a measure in the House of Commons for the purpose of destroying the jurisdiction of the inferior Ecclesiastical Courts. In 1830, an Ecclesiastical Commission was issued, and in 1832, the Report of the Commission appeared, signed by the Archbishop of Canterbury, the Bishops of Durham, Lincoln, St. Asaph, and Bangor, by the then Chief Justice of the King's Bench (Lord Tenterden), by the present Chief Justice of the Common Pleas, by Sir W. Robinson, Dr. Lushington, Sir Herbert Jenner, &c. It was hardly possible to have higher authorities than these; and it was the object of the present Bill to carry into effect, some of, but not all, the alterations which those eminent individuals had recommended. Amongst other of these recommendations was that for destroying all the Local Ecclesiastical Courts, and the only exception, in respect of which there appeared to exist the smallest question in the minds of the Commissioners, was that of York; as to the propriety of maintaining which, there was stated in the Report to remain some doubt amongst the Commissioners. But he had the sanction of what he was about to propose, not only of the Ecclesiastical Commission, but also of the Real Property Commission, which concurred in recommending the consolidation of these Courts. The method by which the present Bill was intended to effect this object, he would now very briefly state to their Lordships. In the first place it was proposed, that there should be one general Court in London for proving all wills; the jurisdiction of all Local Ecclesiastical Courts being entirely abolished. The Bishops, however, it was proposed, should still hold their jurisdiction over their clergy, excepting only in criminal proceedings, in which it was proposed to abolish it altogether. The jurisdiction in matters of tithe was also to be taken from the Ecclesiastical Courts, which were found to be wholly insufficient in authority for the purpose, and would be transferred to the Court of Exchequer. The jurisdiction of these Courts in respect to Church-rates would also be abolished, and all disputes connected with those payments subjected to the same course as those connected with Poor-rates—viz. appeal to Quarter Sessions. The Bill also abolished the authority of the Ecclesiastical Courts in the repression of immoral practices, which would be left to the ordinary operation of the Common or Statute-law. The Bill further abolished the power of these Courts over cases of defamation, and regulated the mode to be pursued in the sequestration of livings, a matter of great importance to clergymen, and all those connected with them. These were the general objects of the Bill which he had the honour of laying upon their Lordships' Table, and which he hoped would prove satisfactory to them, and beneficial to the public.

Lord *Lyndhurst* begged to be allowed to say a single word with respect to the history of this Bill. The Commission which had given rise to the measure had been, in fact, issued by his noble Friend, the Duke of Wellington, when at the head of his Majesty's Government. With regard to the composition of that body, and the manner in which it had discharged its duties, when the subject was brought under consideration of either House of Parliament, it received the most unqualified praise. Their Report was made in the year 1832, and the Commission was issued, he believed, in the year 1830. The Report was followed up by a Bill in the summer of 1833, brought in by his noble and learned Friend, who then had the Great Seal, and whose absence from the House, and the cause of that absence, he very much regretted. That Bill was laid on their Lordships' Table, and no further proceedings were taken respecting it. When a change took place in the Government of the country, and his right hon. Friend, the Member for Tamworth, was intrusted with the conduct of his Majesty's councils, this was one of the very first subjects that engaged his attention. His own attention was particularly directed to it, and he had several conversations and interviews for its discussion with the present President of the Court of Arches, and also with Sir Herbert Jenner. The result was, that a measure corresponding in its general outlines, and also in most of its details, with that now proposed, was introduced into the other House of Parliament. Before any further step could be taken with it, another change in the Government took place, and the subject slumbered from that time till the present. He heartily rejoiced that he had been anticipated in the intention he had entertained of bringing it under the notice of the House by the measure announced by the noble and learned Lord on the Woolsack. He rejoiced, because a measure of this kind could with propriety and effect be carried through Parliament only with the sanction and support of his Majesty's Government. He was happy to find, from some conversations he had had with his noble and learned Friend, whom he was glad to see opposite in his place as a Member of that House (Lord Langdale recently elevated to the Peerage), that their views on this topic did not materially differ. He should readily give his best assistance in passing the Bill through the House, and would lend his aid to obviate any well-founded objections which might appear against its principle or details. From what he had heard that night, he thought it likely that little difference of opinion on them would arise.

Bill read a first time.

HOUSE OF COMMONS,

Friday, February 12, 1836.

MINUTES.] Bill. Read a first time:—Prisoners' Counsel.

Petitions presented. By Mr. BRODIE, from Gosport, in favour of Mr. BUCKINGHAM'S Claims; by Sir J. BECKETT, from Licensed Victuallers at Leeds, Complaining of the increased Duty.—By Mr. G. F. YOUNG, from the Thames Watermen, that Steam Vessels might not come above Greenwich.—By Mr. PEASE, from Darlington, in favour of Mr. BUCKINGHAM'S Claims.

CHURCH-RATES.] Mr. *Wilks* presented a Petition from Dissenters of Great Marlow, against Church-rates, and stating some circumstances of peculiar and individual hardship.

Sir *William Clayton:* I support most cordially the prayer of the petition presented by the hon. Member for Boston. The House will, I trust, permit me to occupy their attention for a few moments on this subject, which, in point of fact, is not only interesting to every Dissenter, but to every member of the Established Church. In consequence of the especial directions of the Church authorities, an Act was passed for establishing a new church at Marlow. The trustees for carrying this Act into execution, of which I was one, frequently applied to the Dean and Chapter of Gloucester for pecuniary assistance, to enable them to proceed in the work. After repeated applications, the Dean and Chapter promised a donation of 30*l.* I must here beg to call the attention of the Government to the point at issue—a Government which I have for many years supported, because I have been convinced that their measures are founded on justice, liberality, and true Christian principles; I feel a confidence, therefore, that they will, in consequence, be of opinion that some remedy shall be immediately applied to the grievances of which complaint is so generally made throughout the kingdom. The Dean and Chapter of Gloucester receive 1,000*l.* per annum from the parish of Marlow in money, in the shape of tithes, out of which they pay the vicar 72*l.* per annum for the cure of nearly 7,000 souls. The parish, therefore, contributing thus largely towards the support of the Church Establishment, are now compelled by a church-rate, be it observed, under the power of the Act I have before alluded to, again to contribute, and that for forty years to come, an enormous sum towards the support of that Church which they consider the 1,000*l.* per annum, which they pay to the Dean and Chapter should defray. This week a Church-rate has been called, equal in amount to two Poor-rates, and also one Poor-rate has been called. Thus the labourer who earns 9*s.* per week, rated at the lowest sum, will have to pay 8*s.* this week, viz. 5*s.* 4*d.* as Church-rate, and as Poor-rate 2*s.* 8*d.* Thus depriving him of the whole of his weekly earnings, and in fact bringing ruin into his family. To the agriculturist also it is a most severe impost; and in consequence very great discontent every where prevails, not only amongst my constituents but in very many parts of England. If an execution under a warrant from a magistrate takes place, no one will sell or buy: this has been the state of Ireland. As a sincere friend to the Protestant Established Church, I view this state of things with considerable apprehension, because I observe that it is working a certain overthrow. The Ecclesiastical revenue should be made to support the Church, and I think it is unjust that the people should be taxed twice over for the same purpose. I earnestly hope, therefore, that the Government will very soon take the whole matter into their serious consideration, and remove the very oppressive system which now exists.

Petition laid on the Table.

THE ORANGE SYSTEM IN IRELAND.] Mr. *Finn* rose, in pursuance of the notice he had given, to propose a Resolution relating to the Orange System in Ireland. His anxious wish to promote the peace and happiness of Ireland, as well as to vindicate the character of the Government, led him to the performance of what he must call a very painful duty. He hoped that he should be able to perform that duty honestly and firmly to his constituents, and temperately and courteously towards those from whom, on this subject, he was obliged to differ. He hoped that the House would extend its patient indulgence towards him whilst he assured it that the system which he now wished to extinguish was that baneful system under which Ireland had been governed during the last forty years. Before he entered into the consideration of the question at large, he would ask leave to vindicate his own character and that of the Committee which had been appointed on his Motion last Session, from the aspersions which had been thrown upon them by a paper, purporting to be a Report emanating from the Grand Orange

Lodge of Ireland. That Lodge was at the head of a very powerful body. He believed that one half of the Protestants of the Established Church of Ireland, who were of adult age, were Orangemen. Of the Yeomanry corps of Ireland, consisting of 27,000 men, 25,000 were Orangemen; and of the Police-force, which amounted to 7,000 or 8,000, he believed that between 5,000 and 6,000 were enrolled in Orange lodges. Among Grand Jurors, Petty Jurors, Magistrates, Sheriffs, and Sub-sheriffs, it was impossible for any man unacquainted with the details to conjecture to what extent Orangeism prevailed. The House must perceive the deplorable consequences that necessarily flowed from such a state of things, when they recollected that the Orange system was one of deadly hostility to the great mass of the population. ["*No! no!*"] If hon. Gentlemen opposite would have the kindness to hear him out, he thought he should be able to prove it, if not to their satisfaction, at least to the satisfaction of every impartial mind that had not been deluded and contaminated by the principles of Orangeism. The professed object of this Lodge was for the purpose of keeping alive feelings of loyalty and attachment to the Crown, and supporting the real interests of religion; and yet, could it be credited, consistently with such a character drawn by itself, that no Roman Catholic could be a member of that Lodge; nay, that no Roman Catholic who had recanted and who had trampled upon and calumniated the religion of his fathers for interested objects, would be admitted into its sanctuary, unless he were recommended by the unanimous approval of the members. He would, however, say no more at present on the subject of the constitution of the society, but proceed to vindicate himself and the Committee from the declaration, as it is called, of the Orange Lodge of Ireland, with reference to the conduct of that Committee. The charge was contained in a Report of the Committee of the Grand Orange Lodge of Ireland, which had been published in the Dublin Evening Mail, and copied into the newspapers of this country. The document was authenticated by the name of the hon. Member for Cavan (Mr. H. Maxwell) grand secretary of the Orange Society. He undertook to show that the imputations contained in this Report were perfectly unfounded. The Meeting of the Grand Lodge, at which this Report had been read, was very numerously attended—500 members (more than ever assembled before) being present. Among these were several Members of Parliament—Lord Cole, the Earl of Roden, both the Members for Sligo, and the Members for Cavan and Drogheda. The Report stated that a Parliamentary Committee was appointed on his Motion, and added, that "the Committee was not one from which impartiality could have been expected. It consisted predominantly of those who had repeatedly prejudged our case, and to whom the very excellencies of our institution—its Protestant character, its uncompromising loyalty, and its tendency to consolidate the Union of Great Britain and Ireland, must naturally have been a cause of offence, or a ground of objection." Now, how did the fact stand? When he submitted his Motion to the House, the list of the Committee consisted of thirteen Orangemen and Tories, and of fourteen Catholics, Whigs and Liberals. It was stated that the majority of the Committee consisted of persons opposed to the Orange Society, on account of religion—"its Protestant character;" it would not be difficult to show how perfectly unfounded was this assertion. He believed that conscientious Protestants professed that their religion was a thing belonging not to this but the other world; on the contrary, it seemed that the religion of Orangemen was solely confined to earth—a religion of loaves and fishes. If so, it would be understood how the Orange religion might afford "cause of offence" to others besides Catholics. But the Report insinuated that a majority of the Committee were Repealers, whereas of twenty-seven Members only three were for a Repeal of the Union, those individuals being himself, the hon. and learned Member for Dublin, and the hon. and learned Member for Tipperary. Was that a majority of Repealers? He repeated that the Committee consisted of thirteen Orangemen, or supporters of Orangeism, and of fourteen others of whom, excluding the chairman, nine were Protestant Whigs, and four Catholics. Changes took place in the Committee from time to time, but they were made at the special request of Gentlemen opposite, or in consequence of official appointments. There was no alteration in the proportion of parties. One name that he saw upon the List of the Committee filled him with unaffected sorrow - he alluded to the late Lord Milton, the worthy son of a worthy sire. If the nobility of the country generally resembled that excellent young nobleman, no misunderstanding or want of sympathy would exist between them and the people. There was not a single suggestion relative to the Constitution of the Committee to which he did not accede at once. The hon. Member for Armagh was originally nominated, but declined to serve, and on his subsequently expressing a wish to be put upon the Committee, the Members thought that he had no claim. The hon. Member thought he had a right to a seat on the Committee, as he had been personally assailed, but to the Members of the Committee that seemed to constitute a reason why the hon. Gentleman should not be placed on it.

Having stated the constitution of the Committee he asked whether it was one that could be fairly accused of hostility to Protestant institutions, or of an anxiety to sever the union between Ireland and this country? He had shown that this was no just description of the character of the Committee. Yet this document went forth to 1,600 or 1,800 Orange Lodges, and was read by men who never saw a newspaper, and, meeting with no contradiction of the statement, thought that the House of Commons was acting unjustly, and were therefore disposed to treat its proceedings with contempt. The Report next proceeded to impugn the conduct of the Committee, and set forth, that "when the Committee assembled, it appeared that our adversaries were not prepared to enter upon their case, and we were therefore placed in the singular predicament of accused persons called upon to make their defence before they were made acquainted with the crimes of which they were accused, or the nature of the evidence by which the charges against them were to be supported." The course taken was adopted in consequence of the suggestion of the Orangemen themselves. ["*No! no!*"] He asserted that such was the case. The hon. Member for Armagh, a grand master of the Society, proposed to go into the Orange case first. The Report stated, "that our laws and regulations were referred to in proof of the Christian spirit by which we are actuated; instances were brought forward of individuals having been expelled from our body whose only offence was a violation of that law which enjoins universal charity; and we defied our enemies to produce a single instance to justify the very erroneous impressions which prevailed to our prejudice, by which intolerant and persecuting sentiments were ascribed to us—sentiments directly opposed to the spirit of our order, and most abhorrent to the feelings of our members." This affectation of peace, charity, and brotherly love was absurd in the face of the knowledge that we possessed of the irritating processions, party toasts, and offensive tunes of the Orangemen. The next allegation of the Report was the following:—"And here our adversaries upon the Committee interposed, by intimating that, as they were then prepared to go on with their case, the further examination of our witnesses should be for a time suspended. Our friends expostulated against this, as being not only unfair, but contrary to what had been expressly agreed on; but they were silenced by the proposition, that after the evidence against us had been heard, we should be permitted to make a rebutting case—that our witnesses, who were then dismissed, should be resummoned—and that we should be at liberty to adduce any further evidence which might be available for the defence of our institution." He must here state the reason why the Committee put an end to those proceedings. They had had the rev. Mortimer O'Sullivan before them for five or six days, and by his evidence that gentleman attempted, not to vindicate the Orange Lodges, but to prove by Latin, Greek and Hebrew quotations, that every Roman Catholic was in principle a murderer and perjurer. The rev. gentleman quoted, among other authorities, Dens' Theology, of which he had never heard before. Whilst this was proceeding, he heard it stated out of doors, that the inquiry into the Orangeism of the army was to be stifled, and that the object was to prevent the Committee from making a Report. The fact was, that, in the first instance, he and his friends had proposed Mr. Ward as Chairman of the Committee, but they were defeated, for Mr. Wilson Patten was chosen. The Orange party succeeded in beating the Liberals on every division, and, in fact, the proceedings of the Committee were only restrained by the force of public opinion. He put the Member for Middlesex in possession of the discoveries made with regard to the army, and after the result of the hon.

Gentleman's Motion, the Orange party abandoned their attempt to stifle the Report, and extended the inquiry. The Report proceeded—"The brethren are, we believe, aware that this pledge, on the part of the Committee, was never redeemed. The remainder of the Session was consumed in the examination of a host of witnesses, the known enemies of the institution, whose object it was to blacken our character, and criminate our principles; and the Committee closed their labours without having given us any opportunity of correcting the error or refuting the calumnies of our ill-informed or malevolent accusers; and thus debarring us of the privilege of making known the whole of our case, and leaving untouched many points which would have satisfied even the most prejudiced of the excellency and utility of our institution." This accusation was as groundless as the preceding: he asserted, and believed it would be admitted that he had proved, the proceedings of the Committee to be perfectly fair towards the Orange party. The Orangemen said—"We were prepared by the most unquestionable evidence, to give the Committee an insight into the diabolical system of Ribandism, by which this country is at present distracted. We were prepared to show the atrocious and treasonable character of this conspiracy, the dreadful nature of its oaths, and the bloodthirsty malignity of its denunciations. We were prepared to show that this confederacy is not confined to the lower orders, but extends to individuals holding a respectable place in society, and, in some instances, lays claim to a connexion with Members of Parliament. We were prepared to prove that individuals of great consideration have availed themselves of the organization of this band of miscreants for the purpose of forwarding their views at contested elections; and that, again, the leaders of the Ribandmen have availed themselves of the countenance thus afforded for the purpose of consolidating and extending their system until it has now reached the length and the breadth of the land. All this we had witnesses in readiness to prove, and when it is considered that to many these facts would have afforded a most complete justification of our institution, and that much of our adversaries' case consisted in attempts, by indirect, second-hand, and hearsay evidence, to prove that either the Riband system had no existence whatsoever, that it was confined entirely to the lowest class of the peasantry, and that no person of the rank of a gentleman ever was connected with it, we do think that we have much reason to complain of having been debarred the opportunity of putting upon record a plain statement of indisputable facts, by which the most confident amongst our enemies would have been confounded." He called upon the Orange party, if their loyalty were not merely conditional, to prove to the satisfaction of the Government the existence of treasonable societies in Ireland, and he had no doubt the Attorney-General would order a prosecution. He had done with the accusations contained in the Report of the Grand Orange Lodge of Ireland. In reference to the charges made against the Orange Society, the Report treated the matter very lightly,—there were no charges of any consequence adduced against Orangeism—merely a sort of petty treason. It was true, according to the Report, that warrants had been issued to hold lodges in the army; there were about fifty regiments thus circumstanced. Passing over that part of the subject, he would proceed to show that the society had interfered with the administration of justice in Ireland. A person of the name of Richards, an Orangeman, was brought to trial for the murder of a poor man, and the friends of the prisoner called upon Mr. Bridge, a Dissenting clergyman, to give him a character. Mr. Bridge refused, whereupon a party of Orangemen went to his chapel for three Sundays, and on the third attempted his life, because he would not come forward in behalf of an Orange murderer. The Protestant rector and curate went to a place of worship which they had never entered before, to use their influence for the prisoner, and, finally, Mr. Bridge was hunted from the parish. Another Orangeman had robbed a Catholic chapel, an act which hon. Gentlemen opposite might not consider sacrilege; and in spite of his own confession and the charge of the Judge who tried him, the Jury acquitted the prisoner. To prove the influence of party spirit on men of station and respectability in Ireland, he referred to the evidence of Colonel Blacker, who appeared before the Committee as a witness on the other side. A man, named Bell, was executed, under Lord Ellenborough's Act, for two atrocious attempts on the life of a fellow creature, and the following evidence was given by Colonel Blacker in reference to the transaction:—

"The case of one Saunders Bell has been mentioned to the Committee, do you know any thing about it?—I do.

"He is stated to have been in the yeomanry, in your corps?—He was.

"What was his character?—He was as quiet and as inoffensive a man as any in the country, and as good a soldier in his way.

"Will you state what you know of his case?—It is now twenty-nine years ago; he was, as I said before, a quiet, inoffensive man himself; unfortunately some members of his family were not quite so; there was a quarrel between some of them and one of his neighbours; I believe it was confined to the females of his family, I do not know that he had a son. As well as I recollect, it arose out of something connected with poultry, or something very trifling; the family with whom the quarrel took place was that of a man named Birmingham. It appears that Birmingham got a summons from a magistrate for some of Bell's family, and went to serve the summons in person. As Bell told me the story, and as he persisted in it to the hour of his death, he was cleaning his bayonet in the kitchen. Birmingham says he took it off the shelf against which he was leaning; at all events, it was a matter of the most sudden and unpremeditated nature; he made a blow at Birmingham with that bayonet, he says, to frighten him, but unfortunately inflicted a very severe wound. Birmingham, of course, lodged informations; a warrant was issued against Bell, he fled the country, returned at the end of nearly three years, I think, and he was taken and tried under, I believe, what is called Lord Ellenborough's Act. The event took place in 1806, he was tried in the summer of 1809, convicted, and executed. * * * *

"Do you know whether the yeomanry were employed to take Bell?—I know they were.

"It has been stated, that Bell could have been taken sooner had the yeomanry wished it, have you any reason to doubt that?—I have this strong reason to doubt it, that the man was out of the country, and out of their reach.

"Do you happen to know, of your own knowledge, where he was at any time during that period?—I remember his making his appearance in the town of Tuam, in the county of Galway, where my regiment was quartered at the time; he made an offer of himself as a recruit; he wished to enlist into our regiment, but the surgeon would not pass him. I believe he continued a considerable time in the town of Tuam, and I think when we left it he remained there.

"Can you fix the particular period when he was in Tuam?—It was in 1807.

"How long did he remain while the regiment was there?—As well as I remember some months."

Here was a Magistrate, a major of militia, and captain of a yeomanry corps, admitting that he was aware of the retreat of a man accused of a serious crime, who had set the law at defiance for three years, and would have been passed into the militia, but that the surgeon did not approve of him. It further appeared that two Magistrates, Mr. Blacker and another, made an application to the Judge, not on the ground of the prisoner's innocence, but because it was apprehended that the prosecutor and witnesses would be murdered by his friends if he were executed. There was another case of two men, named Murphy and Ford, who were tried for the murder of a man found guilty of manslaughter by an Orange Jury, and sentenced to twelve months' imprisonment, in 1830. These persons were rescued, and in November, 1832, Ford was admitted into the police by a Magistrate and clergyman of the county of Galway. As for Murphy, he became a member of the Tanderagee Yeomanry in October, 1832. The hon. Gentleman read a letter from Earl Bandon, for the purpose of proving that the prevalence of Orangeism in the yeomanry corps of Ireland was quite incompatible with the maintenance of regular discipline, insubordination and mutiny being everywhere its natural and necessary results. And with respect to the army, nothing but mutiny and insubordination marked the conduct of the regiments into which Orange Lodges had been introduced. He would further allude to the atrocities which had been committed at Killenane, by the parishioners of the rev. Mortimer O'Sullivan, where the gallant Colonel, the Member for Armagh, having interfered for the protection of the unoffending peasantry, was threatened with murder by his own tenantry. Five years had elapsed since the ravaging of the town of Maghara, and although the Catholics, who had committed outrage to the extent only of 10*s*., had been severely punished, no measures had yet been taken to bring those Orangemen, who had demolished twenty-nine houses, to justice. The hon. and learned Member proceeded to read extracts from a variety of documents, to show the character of the language held by the Orangemen towards the Roman Catholics. "Damnation to their Papist souls," appeared to be one of the expressions most commonly in use. What at this time was the conduct of the Government? Were the parties who had these opprobrious epithets perpetually on their tongues brought to justice? Was any endeavour made to visit them with the punishment their conduct deserved? Far from it. When complaints were made upon the subject, the answer of Sir Henry Hardinge, who at that time held office in Ireland, was, that he thought no further proceedings should be taken. This reminded him of a speech of Mr. Grattan, in which that eloquent and accomplished man described the conduct of the Government in Ireland in the year 1792. "Under the present Administration," said Mr. Grattan, "the Orangemen of Ireland, instead of the punishment which their outrages should bring upon them, meet with success, impunity, and triumph." Were not these words strictly applicable to the present times? Lord Gosford again, in the year 1795, after eloquently describing the outrages committed by the Orangemen in Armagh, concluded by stating that he conceived such outrages to be injurious, in the highest degree, to the cause of Protestantism in Ireland. With these observations he should conclude by moving the resolution of which he had given notice, viz.—"That Orangeism has been productive of the most baneful effects upon the character and administration of public justice in Ireland; that its prevalence in the constabulary and peace preservation force, and yeomanry corps of that country, has led individual members, as well as large bodies of the above description of force, to the gross neglect and violation of the public duty, and to the open, daring, and lawless resistance to the authority of the magistracy and of the Executive Government, on various occasions; that the systematic and surreptitious introduction of Orangeism into every branch of the military service, into almost every part of the empire, in direct violation of orders issued in 1822 and 1829 by the Commander-in-Chief of his Majesty's forces, and the resolute power and control vested by its governing bodies, the Grand Orange Lodge of England and of Ireland, in his Royal Highness the Duke of Cumberland, together with the rank, station, influence, and numbers of that formidable and secret conspiracy, are well calculated to excite serious apprehensions in all his Majesty's loyal subjects, and imperatively call for the most energetic expression on the part of the representatives of the people of this empire, to secure the safe, the peaceable, the legal, and rightful succession to the throne of these realms. He might be told that it was wrong to include his Royal Highness the Duke of Cumberland, but if it was wrong in the King to be connected with these Lodges, was it not suspicious in the Duke of Cumberland? This was a power which the peace of the empire demanded should be put down.

Mr. *Edward Buller* rose to second the Motion. As a Member of the Committee which sat upon the subject of Orange Lodges in the last Session of Parliament, he trusted the House would allow him the opportunity of expressing the opinions he had formed in consequence of the evidence which had come before him in the course of the investigation. On entering upon the subject he was surprised to find that an association formed, as was said, solely for the purpose of self-defence, and for the protection of life and property, should be a strictly exclusive society, If the objects of the Association were only such as were described, why should the respectable Roman Catholics of Ireland be rigidly excluded from it? The fact was, that the views of the Association were solely those of maintaining the Protestant ascendancy, and of rendering permanent the dominion of one particular party in Ireland. Proceeding further with the Inquiry, he found that this Association interfered materially in the administration of justice in criminal cases. He found it furnishing legal advice and aid of counsel in cases where any of its own partisans were concerned, especially in Government prosecutions. He found further that to this society belonged a great majority of the Magistracy of Ireland—of that Magistracy who presided at quarter sessions and by whom the police were appointed: and in the northern part of the kingdom one of the consequences of this combination of partisan Magistrates was, that five-sixths of the police were Protestants. He found, besides, that in the north of Ireland the Sheriffs and under Sheriffs—the officers who summoned and empanelled juries, were members of this Association, and that some of them had avowed their determination never to put a Roman Catholic upon a jury which they should empannel—a determination which, in one instance, at least, had been very religiously adhered to. Surely, then, with tribunals so constituted, with Magistrates, Sheriffs, and subordinate officers so associated, for the purpose of sustaining a strong and violent party feeling, it would be a miracle if justice were impartially administered. If hon. Gentlemen would refer to the Report of the Evidence given before the Committee of last year, they would find abundantly sufficient to show that justice was not impartially administered in Ireland. The hon. Gentleman then referred to many cases detailed in the evidence, in which it appeared that the Orangemen had been aggressors upon the Roman Catholics, and in which all attempts to bring the delinquents to justice were rendered nugatory by the powerful influence of the Orange Association. One of the pretended virtues of the Orange Association was, that it was peculiarly loyal. He had very great doubts upon that point. He believed that the loyalty of the Orangemen was only conditional. The oath originally administered to every member of the society bound them in loyalty to the Crown only as long as the Protestant ascendancy should be maintained by the Crown. It was true that that oath was no longer administered; but its spirit still remained. He warned the Government against identifying itself with such an Association, and against relying upon its boasted loyalty, nay, calling to mind the nature of the facts which had been developed in the course of the investigation before the Committee, he would recommend any Government to use every exertion in its power to put down such an Association.

Lord *John Russell* did not rise for the purpose of discussing the terms of the resolution. If he did so, he might raise an objection to some parts of it, although he was by no means prepared to say that he should dissent from the whole. But he thought it quite evident, from the state of the House at that moment, that the present was not a convenient opportunity to come to a decision on this Question. It was quite evident that upon a question in which there had been so much inquiry, and upon which opinions were so very strongly opposed on different sides of the House, that if a decisive vote were expected on such a question, there would have been a much more full attendance of Members. And if they were to have an impartial and useful discussion of the Question, he submitted that they ought not to enter into the subject peace-meal—discussing a part to day, and a part to-morrow, and another part on some more remote occasion. Therefore, not seeing any Gentleman present who would be likely to take a strong and decided part in defence of the Orange Societies in Ireland—and certainly after what had been stated on the one side, he should not feel at liberty to interrupt any Gentleman who might be disposed to come forward to defend them—but not seeing any Gentleman present anxious to interfere in their behalf, the proposal he felt inclined to make was, that the debate on this question be now deferred till some future day. There were two notices of Motions on the Notice Book for the 23rd of the present month—one given by the hon. Member for Middlesex of a resolution for an Address to the Crown; the other by the hon. and learned Member opposite, of a Motion for a fresh Committee of Inquiry into the organization of Orange and secret societies in Ireland generally. If the present debate were adjourned till that day, he should then be ready to state the view which the King's Ministers took of this great question, as well as their reasons for not adopting either of the courses which had been proposed by the hon. Gentlemen on that side of the House and, at the same time, his reason for thinking that without some further inquiry it would be impossible for the House now, at the commencement of a fresh Session, to express its sentiments on the nature and tendency of these Orange Lodges. He should then be ready to submit an opinion upon the subject, in two resolutions. He did not mean to preclude himself from assenting to any Motion that might be made with respect to other secret societies, if public inquiry with respect to them should be thought necessary; but he certainly would now state broadly, that he was an enemy to all Secret Societies, and if by further inquiry, by the appointment of Select Committees, or by any other means, they might be better enabled to get at the nature, the tendency, and the extent of such societies, he for one should readily embrace those means; convinced as he was that, in suppressing all secret societies, he should be doing that which would tend most to the harmony of Ireland, and, he might say, to the peaceful profession of the religious sentiments of every class of his Majesty's subjects in that country. He would conclude by moving, "That this debate be adjourned till Tuesday, the 23rd instant."

Mr. *Henry Maxwell* was fully prepared, in common with many friends then in the House, to meet on the instant the statements which the hon. and learned Member for Kilkenny had brought forward with respect to the Orange Lodges of Ireland. He was anxious to meet that statement as speedily as possible, and he was also anxious to take the first opportunity that should present itself of stating the opinion which he entertained with respect to the construction of the Committee appointed in the last Session of Parliament to conduct the investigation into the nature and character of Orange Societies in Ireland. He was anxious to submit to the House his view of what the conduct of that Committee had been, having been as constant an attendant upon it as the hon. and learned Member (Mr. Finn) himself. He was anxious, also to state his view of the resolution which the Committee had adopted upon the evidence adduced before it. But as his Majesty's Ministers had expressed a desire that no protracted discussion should take place upon the subject on the present occasion, he was perfectly willing in deference to them and with a view to the advancement of public business (and in that feeling he was borne out by all his friends with whom he had communicated), not to oppose the adjournment of the debate to the day mentioned by the noble Lord

Debate adjourned to the 23rd inst.

Dismissal of Military Officers.] Mr. *Hume* rose to submit to the House a motion of considerable importance, connected with the dismissal of military officers from the Army. He had some time ago asked a question of the noble Lord, the Secretary at War, to which the reply was, that his Royal Highness the Duke of Cumberland was not on full pay, and consequently was not amenable to a court-martial. Now he put it to the House and to the noble Lord the Secretary at War, whether, whenever Parliament granted his Majesty power or authority to make such laws as he might deem necessary to carry into effect the discipline of the Army, there was any class of persons, or any individual, however high he might stand in rank or station, who, whilst enrolled on the list of the army, might presume to defy the orders of his Majesty? He conceived that no individual would be justified in doing so, whether he were on full-pay or half-pay. This was not the first time that he had brought before the House the question of the power of his Majesty to dispense with the service of officers in the army, without bringing them to a court-martial; and he had invariably heard from the Secretary at War that it would be perfectly ridiculous and absurd to intrust his Majesty with the power of making laws for the army, and at the same time to take from him the power of removing from the Army List such individuals as disputed his orders or degraded their station. And when the right hon. the Secretary at War placed upon the table of the House a return of the names of 1,000 officers who had been dismissed from the army without any inquiry, or any cause assigned, he must say that he thought there was a great and serious ground of complaint. If such had been the case, if veteran and experienced officers had been summarily dismissed, without even the poor satisfaction of knowing the cause of their removal, what must be said, if at that moment they had an instance of the highest individual in the kingdom, next to the King himself, setting at utter defiance the orders issued by his Majesty's Commander-in-chief. He thought the House ought to take this matter into its serious consideration. His object was to have laid on the Table of the House a return of the officers of each rank in the army not on full-pay, or liable to trial by court-martial, who had been dismissed from the army by his Majesty's prerogative. As he wished only to show that the principle existed, it would not be necessary to go back many years. He knew that since the peace many officers on half-pay had been removed from the army by his Majesty, without any reason being assigned, though no doubt there were reasons operating on the mind of his Majesty for making the dismissals. If his Royal Highness the Duke of Cumberland, whose excuse, he understood was, that he was not on full-pay, persisted in treating with derision, and setting at nought the orders of the Commander-in-chief, it was high time to consider who was really the first military individual in this country. If he continued to resist those orders, on the plea that he was not amenable to a court-martial because he was not on full-pay, it became essentially necessary to show that no plea of that kind could avail, and that he was within the reach of the kingly prerogative. He (Mr. Hume) knew of no such thing existing in this country as that species of justice which sanctioned the dismissal from the army of officers holding subordinate ranks, while it sheltered a field-marshal from similar punishment, although equally deserved. On the contrary, the field-marshal ought to be the first to be dismissed, seeing that a bad example by him must be more pernicious than the misconduct of officers of inferior rank. If, then, he should establish the principle for which he was contending, and if he should prove the Duke of Cumberland to be within the operation of that principle, it would be the duty of his Majesty's advisers to see that his Royal Highness should be immediately removed from the army. Should his Majesty not be advised to dismiss him, it would then become imperative on him to submit to the House the propriety of inquiring how far the Commander-in-chief, Lord Hill, had done his duty; and on that occasion he would prove that the House of Commons was the proper place where a remedy and relief were to be obtained. If those to whom the army was intrusted by the Act of Parliament, annually passed, did not do their duty, there was no other mode by which to ascertain the truth of that fact, than by an inquiry on the part of the House of Commons. On a future day he would prove that Lord Hill, in 1832 and 1835, issued two orders respecting Orange Lodges in the army, which formed part of the general orders delivered to every general and colonel of regiments; he would prove that the Duke of Cumberland, as a colonel in the army, had those orders in his possession; and he would prove that the Duke had acted contrary to those orders, and that he continued to attend Orange Lodges. He would further show that Lord Hill had not done his duty—that whilst he threatened individuals in the lower grades, he had been afraid to deal with individuals in the higher ranks of the army. That was not what the country had a right to expect from the Commander-in-chief. If he should succeed in proving these facts, it certainly became necessary for the House to ascertain what steps it would be proper to take. For that purpose he called for the present return. It was incumbent on them to have a full knowledge of their power, if, indeed, the controversy should come to this, who was to be the Commander-in-chief in this country? He could assure the House that when the time arrived he should be able to prove, chapter and verse, all he had alleged; and all that he now wanted to know was, whether any individual, not on full pay, had been dismissed from the army within a given time? He, therefore, begged to move that there be laid before the House a list of all officers, of whatever rank in his Majesty's regular service, who, when not on full-pay, and not liable to be tried by court-martial, had been struck out of the list of the army without their consent in each year since 1815, with the alleged reasons for such dismissal, and also a return of any persons who had been restored to their rank after such dismissal, with the alleged reasons for such restoration.

Viscount *Howick* said, as a considerable portion of the remarks of the hon. Member for Middlesex related not so much to the question of granting the returns he had called for, as to that Motion of an Address of which he had given notice, he (Lord Howick) should defer any remarks he might have to make on that subject until they came to debate it in a regular manner. For the reason already stated by his noble Friend near him (Lord J. Russell), he thought it highly inconvenient that such a discussion should be prematurely entered upon and conducted, as it were, piecemeal. He had no hesitation in agreeing at once with the proposition, that the Crown undoubtedly had the prerogative of striking officers off the list without trial by court-martial, even though upon half-pay, and therefore not liable to be brought to court-martial; nor had he the slightest objection to lay upon the Table the returns required to afford any further clue that might be necessary to the hon. Member for bringing on his subsequent Motion. But he thought there was a very reasonable objection to laying the returns on the Table in the form now proposed. The hon. Member had asked for the names of all the officers struck off the Army List, and the reasons for their being so dismissed. Now, he believed that every hon. Member was aware that this was a power belonging to the Crown, which was rarely, if ever exercised, except in consequence of some highly disgraceful conduct on the part of the individual. He was sure the House would feel that it would be an unfair and an unjust aggravation of the punishment of those individuals who had already suffered, if now, after the lapse of a considerable number of years, their names and particularly their offences, were to be held up to the public eye. For that reason he hoped the hon. Gentleman would content himself with asking for a return, showing the number of officers who, not being on full pay, had since 1815 been without their own consent removed from the army. That return would show, not only that the power of dismissal did exist in the Crown, but, in point of fact, that the power had been exercised; and if the hon. Gentleman should then be able to make out a proper case on the facts he had stated to the House, he would have a full right to call upon the House to address the Crown upon it.

Colonel *Verner* said, although he was neither on full-pay or on half-pay, yet as his name stood enrolled amongst those of the gallant defenders of their country, he might be permitted to say a few words. Having been allowed in consideration of his services to his King and country, to retain his rank in the army, and not being aware of having done any thing dishonourable or disgraceful to his Majesty's service, or unbecoming the character of an officer and a gentleman, he thought it would be extremely unjust that his name should now be struck out of the list of the army, in which it had appeared for upwards of thirty years, for having belonged to a society, at the head of which two of his Majesty's brothers were placed.

Mr. *Scarlett* was very much surprised at what had fallen from the hon. Member for Middlesex. Did he intend to abridge personal liberty by attempting to prevent a man, because he happened to be on half-pay, from belonging to a society which no law of the country had proclaimed to be illegal? Would the hon. Member for Middlesex, in defiance of all law, commence a bitter persecution against men because they might belong to an institution of which he did not approve, but which the law did not condemn? He trusted the hon. Member would allow others the same liberty he claimed for himself.

Colonel *Thompson* happened to be a half-pay officer, and if he acted according to his own desire, he should be proud to establish a Reform Association in every regiment in the army. There were many interesting questions which he should be happy to bring before both the soldiers and officers; particularly the question of military punishment. Nothing would delight him more than, within the next six months, to establish such associations, and to be personally active in directing the attention of the soldiers to that and many other most important points. But he had always been restrained from an idea that there was a sort of point of honour in the army, a kind of feeling at least, that it was prudent, politic, and wise to abstain from the introduction of politics among the soldiers. He wished to know whether that point of honour was to be abrogated, as regarded Orange Lodges and Field Marshals? because he was at a loss to understand that kind of Irish reciprocity which was all on one side. If the bar was to be removed on the one side, it ought also to be removed on the other. He wished, then, to be informed whether he should incur any danger if he should be discovered establishing Reform Associations in the army? Would the power of the Crown be exercised against those who should promote Reform Associations in the army, and not against those who formed Orange Lodges? who formed them, he had no doubt, from the purest motives, and without rendering themselves liable to any imputation of dishonour. He could imagine that hon. men, stimulated by a desire to promote those principles which in their hearts they thought right, would be found engaged on either side. But if the bar were done away on one side, it ought to be so on the other. The hon. and gallant Member on the other side (Col. Verner) had complained (if he, Col. Thompson understood him aright) that he had been treated severely for some political interference. He believed that the hon. and gallant Member and himself were of the same rank; therefore he had a suspicion that there was something in the rank which made that perfectly legal and honourable in one member of the profession which was illegal and dishonourable in another. Entertaining this belief, he must point out the great desirableness of having a regular and well-defined line drawn, in order to point out where this distinction of rank lay, and whether a colonel, a general, or a field-marshal only was at liberty to introduce politics into the army. He mentioned these things, because a state of certainty was always better than a state of doubt. He had ever thought that what was strong sound sense in civil life, was as sound and as strong sense in the army; and he claimed for the army the privilege of having that principle applied to it, which was found to be wise and politic in every-day life.

Viscount *Howick*:—Supposed that the hon. and gallant Officer imagined that from what he had meant to imply, that officers on half-pay had been allowed to exert themselves in establishing Orange Associations in the army, it never entered into his mind to say so. The purport of what he stated was this, that officers on half-pay being considered as civilians, were usually treated as such, and might belong to reform, or any other associations which were not prohibited by law; and that the Commander-in-Chief did not think it necessary to interfere with officers so situated. But, undoubtedly, the order issued by the Commander-in-Chief, in August last, applied to Orange and political societies of every kind established in the army. It would be an act most grossly improper for any officer to assist in supporting any associations of the kind; and most clearly, if an officer, even on half-pay, were to be instrumental in setting such associations on foot in the army, it would bring him within the terms of the order. He was not going into the question, for be the facts as they might, those who were interested in Orange societies denied that they had promoted associations in the army; but most undoubtedly, he must say, to establish such societies in the army, would be, in officers, from the highest to the lowest, an offence of the very gravest nature.

Mr. *Hume* felt the force of one of the noble Lord's objections—that it would be unnecessary for the purposes of the Motion, to drag forth any individual who had retired into civil life, and whose name and offence were forgotten. But he differed from the noble Lord when he said that it would be cruel to set forth the conduct of such an individual. This was false delicacy. It was not doing justice to the army at large, to refrain from publishing the grounds why any officer had been struck off the list. Indeed, he made this a matter of complaint against the Commander-in-Chief. By the publication others would learn what they themselves had to avoid, in order not to incur similar degradation. The hon. and learned Gentleman (Mr. Scarlett) had asked whether he (Mr. Hume) would by these proceedings attempt to abridge the liberty of the subject. He assured the hon. and learned Member, that no act of his would abridge the liberty of the subject, except the hon. and learned Member meant the liberty to do wrong. He begged to call the attention of the House to the two last sentences of the hon. and gallant Officer opposite (Colonel Verner), who had said how cruel it would be on him to be removed from the list of the army for the offence of belonging to any society to which two of the brothers of the Sovereign belonged. He wished hon. Members to bear that in mind, because he did most sincerely agree with the hon. and gallant Member. He thought it would be cruel. It was upon that ground he wished to see the subject on a future day fairly discussed.

The returns, as suggested by Lord Howick, were ordered.

METROPOLITAN RAILROADS.] Mr. *Harvey* said, that in the few remarks he felt it incumbent on him to urge on the consideration of the House, in support of the Motion of which he had given notice, he desired to be expressly understood that it was not his intention to bring under the consideration of the House any one of the many Railroads for which petitions had been, or were about to be, presented. The sole object of his Motion was to call the attention of hon. Members and the Government to a subject unquestionably of very great importance. At the present time there was no subject of a domestic nature which so largely occupied the public attention as that of Railroads. A greater number of persons was enlisted in their advocacy or in opposition to them, a larger amount of capital was embarked in their furtherance, a vaster extent of property was involved in their prosecution, than in any one other subject that could claim the attention of the House. He could not, therefore, but believe that hon. Members would be most anxious to listen to any plan calculated to economise expense, and to save the time of the House; for, when they called to mind the fact that the number of petitions which had been already presented for the introduction of Railroad Bills, and when they considered how they were disposed of before

Committees, it was not too much to say that there was work enough in their Committee-rooms to engage every Member of the House to the latest period of the Session. Was it not, then, a fit object of the House, as far as it could consistently with justice, to restrict the expenditure of time upon inquiries which might prove abortive, and upon subjects which ought not to have been brought before it? The terms of the motion restricted the inquiry to those Railroads which had a *terminus* within seven miles of the metropolis. The object of that restriction would be obvious. It would have been too much labour for any Committee, or Board of Inquiry, to have had brought within its cognizance, all the Railroad Bills which were likely to be matter of legislative inquiry. Moreover, it appeared to him that it was unnecessary, as it regarded those Railroads whose termination began and ended in the provincial counties, inasmuch as they generally originated in the places themselves, were carried on by the conviction of their utility, and countenanced by local contributions. The parties, therefore, who had given their sanction to local Railroads and improvements, were the best judges of their importance and mode of accomplishment. But the same remark would not apply to many Railroads which were proposed to connect the metropolis with distant and remote parts of the country, having a termination in London. The greater part of those projects had their origin, not from a sense of their utility, not from any intention in the minds of those who resided on the line of road on which it was to pass, but, in the main, they had their origin in parties seeking wealth, and of active enterprise, and it would be generally found, if those who were contributors to those projects were analysed, that they had little connexion with distant places, with the commerce of remote towns, and commercial ports. It therefore became important that this House should exercise a domestic superintendence over objects which had not those local ties. Because, though it might be said by gentlemen who considered that every enterprise which was based upon the employment of capital ought to be allowed to work out its own object unfettered by any restraint which legislation might impose; yet this was a principle which might be carried out perniciously, inasmuch as it would affect the interests of persons who could not protect themselves from the manifest inconveniences which they might encounter. This would be illustrated if they brought their minds to the several projects now in progress. There were three principal Railroads projected from the eastern part of this metropolis to Norwich. One proposed to go through Chelmsford; the second to proceed to Cambridge, and then turn to the right to Norwich; and the third to proceed to the same destination by way of Bury. He thought it would be readily conceded, whatever might be desired, and whatever profit might be got out of a Railroad from London to Norwich, that there could be no just pretensions for the establishment of three lines. But even if there were, he would submit to the House that it was a most important duty in them to consider whether those three roads were to have three distinct entrances into the heart of this metropolis. The effect would be the immolation of whole towns. It would desolate entire streets, and produce incidentally most serious injury upon person and property. If, therefore, it was desirable there should be communications of this kind, he would suggest that it was expedient that places should be adopted within reasonable distances of the metropolis in each direction to which all these roads should tend, and should all come, and from which none should be allowed to deviate. Should some such mode not be adopted, no standard of value would be sufficient to measure the immense loss of property likely to ensue to individuals. It was obligatory on the Government of a country to protect its property as much as to protect its peace. Property of a peculiar nature was threatened with danger by the multiplication of Railroads; the present was the time to stand forward and protect it. Not only were these Railroads projected from London to every corner of the country, but even from one part of London to the other. So that when a traveller on the Birmingham Railroad would have arrived at the termination of that line, which was to be somewhere in the neighbourhood of Euston-square, he would be taken up then on another Railroad, and carried into Snow-hill, if the House permitted the project of the latter line to be proceeded with. The next Railroad, he presumed, would be to the House of Commons; and, perhaps, the one after to Blackfriars'-bridge; until at last there would not be a single street left in London without a Railroad. If change were necessary, let there be change; but, in his opinion, utility should always be the guide followed in changes of every description, and not a speculative spirit, which often led individuals to ruin not alone themselves, but their neighbours. It might be urged against his Motion that a tribunal already existed to try the merits of cases similar to those included in it, and that, therefore, it was unnecessary. But to this he would reply, that although Committees of the House of Commons were very much improved for investigating such matters of late, they were not sufficiently so to meet the evils likely to arise from an excessive indulgence in unwise speculations of the nature adverted to in his observations. The numbers composing them were too large, the rooms in which they were held too small, the attendance too crowded and confused, and the motives of many hon. Members too questionable, through private or public prejudice in favour of one line or in opposition to another, to render a Committee of the House of Commons, upon subjects of that nature, the most correct or impartial tribunal. The consequence of this combination of unfavourable circumstances, particularly the latter, was in many cases a compromise, in which the interests of the parties prevailed, and the interests of the public were very rarely considered. The proceedings before that tribunal were very expensive—enormously so; and every day they were increasing. It was due to the public to put an end to those expensive proceedings. No later than that morning certain parties interested in the progress of a Railroad Bill had been with him; and one of them told him he had to pay, before he was permitted to take a single step, the sum of 500*l.* for what was called "a list of the assents and dissents." While the other had informed him, that for the same thing he expected to be called on for three times as much in as many days hence. It was now the practice to obtain the consent not alone of proprietors, but of lodgers on any estate to be affected by the line, but in many cases that of the former was dispensed with, while that of the latter, who had no real interest in the estate, served to swell a list in approbation. This had a delusive, as well as a destructive, effect on the public; for it gave an appearance of feasibility to projects which were by no means of a warrantable nature, and substituted the names of persons possessing not a particle of valuable interest in a property for those of the actual *bona fide* owners of it. All this was calculated to deceive and injure the community at large, as well as destroy the property and prospects of individuals. The attention of the House of Commons had, during the last and several preceding Sessions, been very liberally devoted to the facilitating of such speculative enterprises, and he predicted, that unless some very decided step, such as now proposed, were adopted to control and regulate the very tolerant spirit which had hitherto guided their legislation, the result would be that this House would become, not a House of Parliament, but a House of Railroads; and every Gentleman's spare time would be exclusively occupied in attending Committees to promote their extension over the empire. It was under these circumstances, and with this conviction of his duty to the unprotected public and to the Legislature in which he had the honour to hold a seat, that he now proposed the formation of the Select Committee, with the powers and duties specified in his Motion.

Mr. *William Crawford* said, some of the schemes alluded to had fallen under his observation, and he could speak from experience of the evils and inconveniences likely to arise from the mania for Railroad speculations which now possessed the country. He concurred with the hon. Mover, that it was absolutely requisite to apply some legislative check to these proceedings, which threatened to sacrifice such an amount of private property in the reckless rivalry of public companies, especially in the vicinity of London. The county of Surrey seemed to be especially marked out as a scene of visitation for the execution of such speculative projects, and had actually been mapped and partitioned amongst three principal engineers, in so many distinct shares, for their own profit, and for the delusion of the public. There were now no less than three Railroads planned to Brighton: and could any sensible man expect that they could all succeed, even if the projectors intended to work them? One was called Stephenson's line, conducted along the vale of Wickham and Wimbledon Common, extending circuitously through the most beautiful part of the country, and along the banks of the rivers and streams, on the plea of the necessity of preserving the levels; a second ran in another direction through the chalk hills, cutting up that part of the country; a third Railroad was already half-made, running by Brighton due south to Dover. The originators of these clashing projects cared nothing for the inevitable failure that would accrue to one or more in their practical working, and the competition that would ensue if their plans were ever carried into effect. Armed with the deposits of the first subscribers, to the amount of 15,000*l.* or 30,000*l.*, the solicitors and engineers recklessly pursued their separate course of expenditure, driving lines through the country wherever they pleased, heedless of the injury to private property, the interference with public comfort and convenience which must ensue in the accomplishment of their schemes. With such funds at their command, and such powers to expend them uncontrolled for the furtherance of their plans, however objectionable, it was not to be wondered at, if private individuals were deterred from making any attempt at opposition, and, in fact, unless the Legislature turned its attention to the adoption of some effective measures for their control, the attempt would be altogether hopeless, and the injury of private property might be expected to continue in a progressive ratio. On the Southampton line the works were recently stopped below Basingstoke, from a discovery lately made of the difficulty of preserving the requisite levels in the line first adopted. With reference to this case, he could have wished that his hon. Friend's Motion had embraced all Railroads within ten miles, instead of seven, of the metropolis, as this would let in the Southampton case, though, as the Motion was limited at present, that Railroad was necessarily excluded. However, as far as it went, the Motion would have the beneficial effect of preventing much valuable property from the lamentable effects of an extravagant mania which would doubtless involve and ruin multitudes, while the original plotters would, most probably, escape with the fruits of their successful imposition on the unwary and credulous. The machinery was well known to the initiated by which Railway shares were worked up to a nominal premium of twelve per cent., or fifteen per cent., before the slightest rational prospect of a return presented itself for calculation to found any data on; and it was also well known to men of observation, that the originators of these bubbles never continue to hold their original shares, but as soon as a sufficient profit could be seized on, they sold them to the dupes whom they left to suffer by the ultimate bursting of the bubble. No man of experience would take the prices of shares quoted in the papers as any proof of the prosperity or soundness of a company, started under such auspices as those which marked the origin of these Railway companies; on the contrary, the more he heard of this unsubstantial prosperity, the more he felt the necessity of protecting the public from the deceptions and fallacious hopes held out to them by interested individuals.

Mr. *Ridley Colborne* thought it was the duty of the House to be exceedingly cautious in the adoption of any restrictive principle of legislation which might have the effect of interfering with the many obvious, admitted, and indisputable benefits, which Railways were calculated to ensure, looking to them either as the means of extending internal commerce, or of facilitating intercourse, which did not hitherto exist, and thus diffusing improvements, and the spirit of industry and enterprise. He was certain that they were beneficial in one very desirable point of view, as affording a means of employment to the labouring classes, and a happy stimulus to the improvement of their condition. Many of the projected undertakings were, he was sorry to say, speculations of a very questionable character, and he doubted whether one step would ever be taken to complete the lines the projectors had adopted, and set forth in their prospective publications. He thought the best way to counteract this species of speculation was, to enact a Clause which should render it imperative on the original promoters of a Railway scheme, to retain their shares and prosecute the work. If shares were not transferable by law, persons would not undertake such works without the intention of carrying them on, and much stockjobbing mischief would thereby be prevented. Were such a law in existence, we should not see such an enormous, useless, and absurd expenditure of money as was now witnessed on lines of Railroads running side by side, cutting up and disfiguring the country, and evidently constructed without the smallest intention on the part of the original undertakers to complete them, or if completed eventually, with any hope of utility to the public. He would be quite content to allow the free employment of capital in this department of industry, if the original promoters of the roads were compelled to continue their speculations.

Sir *Robert Peel* could not see the advantage which the supporters of the Resolution expected to derive from it, more than from the system which it was sought to supersede. If it were a necessary consequence that all lines of Railroads struck out were to go on, and that all Bills introduced were to be carried through that House, it would no doubt occasion very dangerous results; but it should be recollected that each Bill presented to Parliament must be scrutinised and substantiated in detail before a Committee, and, if approved, subjected to the further censorship of Parliament, ere the evil consequences could result to the country on which so much stress had been laid, but which, after all, really rested with the whole House to permit or restrain. If the formation of a Select Committee were requisite and beneficial for the district situated within seven miles of London, to save the property it contained from the ruin which Railway projectors were expected to inflict, he saw no reason why Manchester, Birmingham, Liverpool, and all the other threatened towns and districts containing similarly valuable property, should not be granted an equal measure of select Parliamentary protection. If a Select Committee were good and necessary for one case, it might be expected to be good and necessary for all; but this legitimate conclusion was not urged in supporting the Motion. The hon. Gentleman confined his attention to the vicinity of the metropolis, because as it appeared, he expected shortly to see a Railroad drive from Euston-square to the House of Commons! But he did not take into consideration a condition attaching to property in the metropolis, which would effectually protect it against any disturbance that was not very likely to have a profitable termination—the great value of the houses and land, of which the speculators must purchase possession ere they could commence operations. The inevitable expense of such proceedings in the metropolis would be its best security against uncalled-for intrusions of the kind apprehended, and Gentlemen might rest assured that there was a wide and natural distinction between the origination of a Railroad project in or through any district of the metropolis and its completion. He thought that the plan of intrusting to the Select Committee the choice of one out of the lines of Railroad would lead to no good purpose, for the Members of the Committee could have no more intuitive knowledge of "the desirableness of a Railroad" than the House at large, with whom the decision would lie in the present state of the case, after the Committee had examined all the particulars which could enable them to form a proper judgment. He could not see the advantage, where a great national undertaking was at issue, in limiting its consideration to a few individuals, however selected, who were expected to decide "whether the best line had been selected, having regard to the directness of the communication, the probable expenditure, the comfort and safety of the public, and the effect on private property and particular interests." There was really little to fear in those cases, for no Railroad project could come into operation till the majority of Parliament had declared that its principles and arrangements appeared to them satisfactory, and its investments profitable. It was a recognised Parliamentary principle, in these cases, that the probable profits of an undertaking should be shown to be sufficient to maintain it in a state of permanent action and utility, before a Bill could be obtained; and landlords were perfectly justified in expecting and demanding such a warranty from Parliament before they transferred their property to any such uses. And why should not Parliament require it from those who came forward to obtain its authority to sanction their appropriation of this property? With respect to the consent of proprietors, which was requisite in such cases, he thought the House would not be doing its duty if it did not exact the production of a *bonâ fide* assent subscribed by real proprietors or tenants. It was not enough to see a document signed by 1,000 tenants, if it turned out that 999 of these were weekly tenants or tenants at will. He felt that Parliament ought in all such cases to ascertain the validity and condition of proprietorships ere it admitted the effect of such consent. With respect to the individual projects, he was sorry to see that some presented the obvious characters of futile speculations, but he should be equally sorry to see powers delegated to a limited and Select Committee to decide on subjects of skill, science, and enterprise, where so much was at stake, and thereby prejudge the question. He would rather see the matter left to the good sense and comprehensive intelligence of the entire House.

Mr. *Pease* said, that it was his lot to live in a county where Railroads were more numerous and their effects better known and appreciated than in any other, and where, as the result of all this experience, as soon as a project for a new line of Railroad appeared, it was almost universally adopted and approved of. The idea formerly prevalent there, as well as here, that Railroads cut up and disfigured the country, had entirely disappeared, for it was now found that all the great cuttings and sinkings might, by a little care and expense in ornamental planting of the slopes and edges, be rendered ornamental to the scenery of a district instead of disfiguring it. He was aware from his own experience as a landowner that the ground through which a Railroad passed increased instead of deteriorated in value, notwithstanding the particular portions of which he spoke were intersected by cuttings of great depth; in spite of which some of it recently sold brought a higher price than it did before, or than any land at a distance from the Railway would bring, though adjacent to turnpike roads. All building materials and minerals lying in lands adjacent to a Railroad were materially increased in value, and in cases where it became necessary to determine the value of such land by a Jury, double the value was frequently given, compared with what would have been awarded by the same Jury, or determined by private bargain, before the establishment of the Railroad. The turnpike roads in the neighbourhood had become perceptibly better, and had reduced their tolls fifty per cent. from the absence of heavy carriages, now transferred to the Railway. With the experience of ten or twelve years, the feeling of the country had considerably increased in favour of Railroads. Within the last three Sessions especially the question had undergone a searching scrutiny, and been fully canvassed by engineers and the public. He had attended very closely to the subject himself, and while he had been more thoroughly convinced of the utility which might be derived from the adoption of judicious plans, he must confess he was disgusted by several which had been presented to the public, which obviously contained the elements of failure, disappointment, and ruin. He trusted, however, that the House would discriminate between the plans submitted to it, and not suffer rival projects to destroy one another, and to absorb the property of confiding individuals who could never be repaid. He thought that some speculations of this species deserved to fail; but he did not like to see a Select Committee composed of individuals who were, perhaps, by no means competent to enter fully into the merits of a plan, erected as it were into a tribunal of opinion, whose fiat would, notwithstanding, go far to prejudice the decision of the last tribunal—the House. A chief objection to the introduction of the metropolitan lines was, that they would take the trade from the great interests already in possession of it. He would suggest, as a remedy for this, that instead of having one focus in the north, or south, or east, or west, there should be a distribution of stations and advantages—one in each of these four points of the city—which would go far to remedy the inconvenience apprehended. He must oppose the Motion before the House, as he preferred the existing mode of proceeding, which left so much more to the discretion of the House at large, with an opportunity of obtaining all the information a Committee could elicit to enable it to form a just conclusion; and if a Committee agreed in approbation of a plan submitted to it, a *prima facie* case was thereby established for the House that the plan was a good one.

Mr. *Goulburn* was as great an advocate for Railroads generally as any man in that House; but he was disposed, nevertheless, to support the resolution. The approbation of the Committee which the hon. Member who spoke last referred to, was not a case strictly applicable, for a single Railroad case presented to an ordinary Committee could not exercise the comparative view desired in the present case, and which, if they did not enter on the task in a prejudiced manner, would be so beneficial to all concerned. His great anxiety was to avoid having the country parcelled out uselessly and injuriously by rival companies, who would inevitably entail ruin on the mass of those who invested their property in these undertakings.

If the House, or a Select Committee, were to exercise this comparative judgment, and choose one out of the three lines in question as alone worthy of adoption, it would confer a great benefit on the public. If, on the contrary, each Bill were, as usual, allowed to go to the second or third reading before an intentional comparison were made, he thought the House would stand a bad chance of making a correct choice at the moment.

Mr. *Poulett Thomson* objected to delegating to a body so constituted the great power which it was proposed to vest in the Select Committee. At the same time, he was extremely glad the subject had been agitated, because he considered it one very deserving the attention of the House. He owned that he felt it to be a very difficult one. He should agree in the opinion of the right hon. Baronet the Member for Tamworth, if, after the projects had been sifted by a Committee up stairs, the House had the means, from their Report, and from accurate testimony of a surveyor on the subject, of judging, and when they came to vote, of fully understanding, the grounds upon which they arrived at their decision. Any hon. Gentleman who had attended to the manner in which Bills of the kind were passed, and to the sort of discussion which took place on their second and third readings, must be aware that the House had not the knowledge necessary to enable them to arrive at a just decision. He had almost invariably avoided voting on such questions, because he found that no sufficient means were afforded him of ascertaining the real state of the case. Then he came to the question, whether the Committees, as they were at present constituted, could properly discuss the merits of the different Railroad projects brought before Parliament? He believed that they could properly and fairly discuss the merits of each individual plan as it was laid before them; but that was not, in reality, the question they had to consider, when so many Railroads were in formation, and likely to come under the consideration of Parliament. It was perfectly true, that different plans for different Railways running to and from the same place might be referred to the same Committee, but the Committee might very probably decide on the first before the others, or either of the others, came under their consideration at all. He did not really think, that the first, or any other decision of a Committee, given under such circumstances, would be grounded on the merits of the case. The question, then, arose whether the proposed Committee would be an efficient one for all the purposes required? And here again he felt considerable difficulty in determining whether a Commission of engineers to examine into every project, or some such special Committee, would not attain the object in view. Any Gentleman who had read the newspapers within the last four or five months could not have failed to perceive the absurd and ridiculous projects which were afloat—projects not only for four or five Railways to the same place, but for Railroads to places to which scarcely any coaches at all now ran. Such plans might be very beneficial to surveyors and the gentlemen of the Stock Exchange, but beyond putting money into their pockets, and into those of the individuals who forwarded them through that House, they were not likely to be attended with any practical advantage. Under such circumstances he thought the House should lay down some plan, under which, before any great expenditure was incurred, some definite prospect of success might be secured.

Mr. *George F. Young* thought the proposal of the hon. Member for Southwark had not been quite fairly treated. He had had several opportunities of witnessing the manner in which the proceedings of Committees on private Bills were conducted, and he was bound to say, that a worse tribunal could not be conceived. He thought it would be a great improvement if every Railway Bill were referred to a Select Committee composed of Gentlemen connected with the locality to which it applied, rather than to a general list, chosen at the commencement of a Session. If such Committees acted on the principles embodied in the Resolution, they would form most efficient tribunals.

Mr. *O'Connell* thought it extremely desirable to afford every facility for Railways provided for the transportation of commercial commodities. While it was desirable to guard the public against uncertain and undefined schemes on the one hand, it must be remembered on the other, that a regard for their own capital, and an eye to their own interests, would be their best protection. He concurred with the right hon. Gentleman in deeming it very advisable to have a special Report from a Crown Surveyor laid before the House in every case before the Bill passed, and he thought the House should pause before, by affirming the present resolution, they retarded the progress of these great public undertakings.

Mr. *Warburton* thought there should be a general survey, and that all Railroads should be stopped until such survey or a Report were sent in, to enable the Committee to form their opinion. No Member of Parliament concerned in those speculations, or who held shares in them, should sit upon any one of those Committees.

Mr. *Hume* said, that he thought the Government ought not to interfere. The very best check against the danger to be apprehended from these speculations was each individual's own interest. Another protection he thought ought to be, that each subscriber should be a *bonâ fide* subscriber. He had not heard any answer to the representation of the right hon. Baronet, the Member for Tamworth. He thought the subject had already undergone sufficient discussion to show, that some protection was absolutely necessary; but the two species of protection to which he had adverted were, in his judgment, quite enough. He thought that those Members who had duties upon his subject to perform should be uninfluenced in their conduct by the "pressure from without," and should see that each undertaking to which they gave their sanction should have a sufficiency of capital to carry it through.

Lord *John Russell* expressed his concurrence with an hon. Member opposite, that the best course the House could adopt for the present year would be to refer different plans to a Committee, who should report their opinion to the House. This would afford the House the best means of giving a correct judgment on the subject submitted to their consideration; and it would be also necessary to prevent them from giving their opinion upon merely *ex parte* evidence.

Mr. *Hume* wished to ask the noble Lord if it were his intention to propose any alteration in the manner of appointing Committees? As a proof of the inconvenience of the present system, he should merely refer to his own case that day, when he found himself appointed upon nine County Committees. How was it possible for him to attend in all these Committees? Why should not some method be adopted which would enable hon. Members to discharge the duties for which they were appointed, and which it was expected they would perform? On the first day of the Session, he thought the House ought to be drafted into Committees of nine or eleven, which would have the two-fold effect of preventing any suspicion of partiality, and of preventing that system of canvassing which he regretted to see was very much practised. He should also suggest, that no Member for a borough or county should sit upon any Committee on the affairs of the place he represented.

Mr. *Harvey*, in reply, complained that the hon. Member for Durham had misunderstood him when he supposed that he advocated only one locality for the meeting of Railroads in London, whereas he had proposed one locality for every entrance into the metropolis—one for the north, one for the south, one for the east, and one for the west. The right hon. Member for Tamworth had argued, that if a Select Committee ought to be appointed to inquire into the practicability of Railroads coming near the metropolis, the interests of every large town should be protected in a similar manner; but in those towns these matters were calculated upon long beforehand, their utility was canvassed, their advantages well ascertained, and the direction of them was intrusted to men who were best fitted to carry them out to a successful issue; but in London the public knew little or nothing of the localities and other circumstances of detail on which the success of a Railroad wholly depended. He thought this Motion would be productive of great good. In the proposition made by the right hon. Member for Cambridge, which was only a modification of his own, he fully concurred—namely, that all Railroads which had the same tendency should be referred to the same Committee, and that, upon a full consideration of all the evidence, they should choose that line which appeared to be the most economical, the most direct, the most profitable to the public, and the least encroaching upon private property. He recommended that the Committee should call before them the surveyors of each line, and they would elicit more information than they could gather from the speeches of three or four favourite leaders, followed by two or three rising juniors, who would be left by the leading counsel to amuse the Committee, while he went to address another Committee upon another Railroad. This would be the rational course to pursue, and they would soon be able to determine whether, in the first place, a Railroad was wanted at all on any particular line, and, in the next place, whether the proposed railroad would prove permanently advantageous to the community. The hon. Member for Bridport had recommended to the House that no Member of any Railroad Committee should be a shareholder in the Railway. If that was to be, it would be as well that it should be understood. But there were many other persons interested in Railroads besides the shareholders. There were the bankers, and the standing counsel; great iron masters also, who might have seats in that House; there were many who had worthless lumps of land to get compensation for, and it was astonishing to see what a value the suggestion of a Railroad gave to barren acres. He thought it much better that every Member of the Committee should state at once what his interest in the railroad was; then the public would know what to look to; but at present the managers of a Railroad would say, " look at our plan; here we have ten Members of Parliament in our direction—it is certain to be carried;" and another set would say, " It is absurd to oppose us, you will have all the Carlton Club, and all Brooks's brought down in such a strong body, that our Bill must be carried." He hoped that some good would result from this debate. He trusted it would not be a mere discussion which was to end with the beginning, but that the House would be induced not to prevent the establishment of any Railroad where its formation was desirable, and not to countenance any speculation where it was not desirable it should be encouraged.

Motion withdrawn.

REGISTRATION OF BIRTHS, &c.—DISSENTERS' MARRIAGES.] Lord *John Russell* rose for the purpose of bringing forward a Bill for the general registration of births, marriages, and deaths, and likewise a Bill for the purpose of amending the laws regulating the marriages of Dissenters. At that time of the night he thought it would be most convenient to the House if he stated in as short a manner as he could the object and the general provisions of both these Bills. It would, perhaps, be in the recollection of some hon. Members of that House that at the time that a right hon. Member opposite proposed to bring in a Bill to regulate the marriages of Dissenters last year, he (Lord John Russell) stated his opinion, held in 1834, that a Bill to be sufficient and satisfactory for the regulation of Dissenters' marriages should be preceded by a Bill of registration. But he had not brought forward any Bill upon the subject—because any plan that could have been devised for this purpose was considered by the Government of that day as entailing an expense which formed an insurmountable objection to its adoption—that is to say, an objection, not to the principle or to its being one day or other adopted, but an objection to its being brought forward at that time, until a plan had been more maturely considered, and until it was seen whether it could not be carried into effect economically, and with a prospect of its final success. But laying aside altogether for the present moment that part of the measure which related particularly to the grievances complained of by the Dissenters, he thought that in a general and national point of view it was most desirable that a general system of civil registration should now be carried into effect. It was a most important subject—important for the security of property—important to ascertain the state and condition of individuals under various circumstances—important to enable the Government to acquire a general knowledge of the state of the population of the country—that there should be a general registration of births, marriages, and deaths. The present registration was very deficient, as had been fully proved before various Committees. In the first place, it was a registry not of births but of baptisms; and, in consequence of the system adopted, it only gave the marriages where the ceremony was celebrated according to the rites of the Church of England. But without laying any further stress upon the detail of these objections, he should just observe that they arose from this defect in the principle of the registration, that it was ecclesiastical and not civil. Now, with respect to ascertaining the fact of the births, deaths, and marriages of various parts of the community, it was quite obvious that this subject had no reference to the religious creed of any man; but, on the contrary, in a country and amongst a people composed of various sects and religions, it was quite obvious that a registration of marriages according to the rites of the established religion alone could never possibly be perfect or complete. He could illustrate this by reference to the case of the Baptists, and to many other sects; but, in fact, it required no argument to support it. If the House wished to form a complete registration, it was necessary to have one which would comprise indifferently and impartially all classes and distinctions of religions. The plan adopted for this purpose under the Commonwealth was to have the registration taken by the inhabitants and rate-payers. But without dwelling upon this plan, which was enforced for a certain time, he should refer to another plan, introduced two years ago by Mr. William Brougham, Member for Southwark. In that Bill it was proposed that the tax-surveyors should have the cognizance of the registration. Upon instituting inquiries into the working of this system, and obtaining a return from different parts of the country, it appeared that though very many of the surveyors were quite competent to discharge the duties intrusted to them, yet in very many more cases it would be necessary to employ persons of a superior class, and to give them additional remuneration, which would entail a very considerable expense, and, as he before observed, be an insuperable objection to the adoption of the plan. But within the last year or two a change had taken place in the domestic policy of the country with regard to the Poor-laws, which seemed to open the way to the establishment of a civil registration, and which would not be attended with considerable expense. At present there were upwards of 200, he believed 228, Unions, formed in England and Wales, under the new Poor-laws, comprising 3,283,000 persons; and there would be, he expected, within a short period, more than 800 Unions in England and Wales. So that by April, 1837, there would be a sufficiently broad foundation laid for the general introduction of the system. He would direct the attention of the House to the means which the machinery of the unions afforded for carrying this registration into effect. In each union there were certain officers, called "Union officers," for every 5,000 persons, the union comprehending generally 15,000, 16,000, or 20,000. Besides the overseer and assistant, there were the auditor and the clerk of the Board. It was now proposed that the Poor Law Commissioners should have the power of appointing one of these officers, or any other person they might think fit, to be the registrar for a certain number of persons; that this registrar should be under another officer, (say the auditor, or the clerk), who should be his superior; that there should be another superior registrar who should have a county office; and that there should be an office in London (as in Mr. Brougham's Bill), to be under the direction of the Poor Law Commissioners. It was proposed that the subordinate officers should register the births and deaths that took place, and the marriages that were contracted, under a Bill which he should bring forward on a future occasion; that every two months all the entries they had made should be forwarded to the county office, and be thence transmitted to the central office in London; that they should keep their books of registration until they were filled up, and then transmit them to the county registry office. This he thought was the best manner of effecting the registry, and in this respect the Bill did not greatly differ, although it did in some respects, from the Bill of Mr. William Brougham. What he proposed in cases of birth was, that notice should be given to the local registrar by the occupier of the house in which it took place within eight days of the birth of the child; and within fifteen or twenty days after notice had been given, the registrar should call on the father or mother of the child to fill up the particulars with reference to the birth. The person also giving these particulars should give the name of the child; and if the parties did not give the name of the child, or if they wished it to be entered afterwards, they should be obliged at a future period to produce a certificate of baptism, so that the registrar should afterwards be enabled to enter the name of the child. In cases of death, the occupier of the house would be obliged to give an immediate account of any death that occurred in his house; and in those cases the registrar should call upon the next of kin, if resident in the house, and get any further particulars that might be deemed necessary with reference to the dead person; for instance, with respect to the country from whence he might come, the period of his birth, and other circumstances. As far as regarded the entries of marriages he need not then say anything, as the particulars would be given in the Bill regulating marriages, which he intended to propose after the present measure. There might be some difficulties in the way of carrying out, to its full extent, a Bill of this nature at first. It might be the case with some persons that they would refuse to give the registrar the particulars he might require; but he (Lord J. Russell) was quite sure that where the plan was established, the advantages attending it would be so obvious, and would be so soon felt by all classes of persons, they would so soon perceive the benefit of having their children's names inserted in the general register, that it would not be very long before every one would be willing to concur in carrying out the plan. It was not proposed that parties giving this information to the registrar should be compelled to pay any fee, although they would have to pay for a copy of the register afterwards, should they require it. The manner of registration would be this, every registrar would receive a fee of 2*s.* 6*d.* for any name entered within the period of twenty days; and after twenty days, 1*s.* extra. The superintendant would receive, on the average, 2*d.* for each register. It was calculated that, altogether, there would be about 812,000 entries in the general register in the course of the year. The expense of the local registries would be something more than 40,000*l.* a year, and the total charge, together with the expense of the chief officer in London, would be about 80,000*l.* a year. The expense of the central office in London he would propose should be defrayed by the Treasury; the expense of the local registrars and the fees of the superintendents should be made a local charge, and should be defrayed by the parishes in which the persons resided, with reference to whom the entries were made. He thought that he had then stated the chief particulars that were necessary with respect to the register of births and deaths, and would proceed to explain the details of the other Bill. He thought that the law regarding marriages was a law which had been justly described as creating great confusion between things regarded by the State as important for the well government of the country, and for the due succession of property, and things which were mere matters of conscience. It was of importance that the State should have a certain degree of security in order to prevent marriages being clandestinely performed between persons able to enter into a contract of the kind, and also that the contract should, after certain circumstances had been fulfilled, be considered as finally closed; and that the relative position in which the parties stood to each other should be perfectly understood. While on this part of the subject he would observe, that it was necessary that the register should be formed in such a way as to embrace all classes of persons in his Majesty's dominions; that he thought was what the State required; and it would be necessary for the due security of property and the preservation of order and morality in the State, and to that its attention should be directed. There were circumstances with respect to a registry of marriages essentially different from the other registries he had described. With the exception of a small portion of the people of this country, all persons were agreed in considering it a religious ceremony, and as such, that its celebration should be accompanied with some religious forms; but they were not agreed as to the manner in which the religious ceremony was to be completed, nor as to the forms which were to accompany it. What interested the State only was, that what was then done should be a ceremony which was considered binding by both parties. If they once ascertained the parties had given due notice for the purpose, and that the marriage was settled, and that the contract was such as would be binding on the consciences of the parties—when they had ascertained this, he thought they had obtained all that it was necessary for the State to know. But now the law proceeded in a very different way, and on a very different principle, as the right hon. Member for Tamworth had justly stated last year, and in which opinion his hon. and learned Friend, the Attorney-General, concurred with the right hon. Baronet, and that although now it was usual to have banns proclaimed, and the ceremony performed in the Church, yet that marriages might be celebrated in any other place, and that a contract *per verbâ de præsenti* was a legal and actual marriage, and that this might take place in any private house, or even in a court of justice. This state of things left the law uncertain with regard to marriages. From inquiries he had made, he understood that contracts of marriages of the kind he had just adverted to, formerly took place between Dissenters, and that Lutherans and others were married in this country in this manner previous to the Act of 1754. The Marriage-law of 1754, however, declared, that all marriages should be performed after banns had been proclaimed in the parish Church, or after licences had been granted to the contracting parties by competent authority, and that the ceremony should be performed within certain hours in the Church, whether by banns or licence, and by a clergyman of the Church of England. This law, he could not help feeling, was unjust, and was an unnecessary violation of the consciences of those who dissented from the Church, for it compelled persons wishing to contract a legal marriage, to go into a Church which they were not members of, and to have the ceremony performed by a clergyman in whose religious opinions they did not agree, and whose doctrines they did not follow, and many of whose religious opinions they might not be willing to receive or listen to. He thought, therefore, that the law should be brought into a state of greater simplicity, and be altered so as to avoid the objections that were raised against it on this account. The Protestant Dissenters had pressed for the redress of what they considered grievances, and he thought they justly regarded this as one of a serious nature. Within the last few years they had manifested great anxiety on this point, and he had heard statements made to the House by them during the Administration of Earl Grey, as well as during the Administration of the right hon. Baronet, in which they asserted, that they were willing to accept an arrangement in either one of two ways —either by making marriage altogether a civil ceremony, and by doing so acknowledging that all parties might adopt any religious ceremony they might consider desirable, apart from anything required by the State, and that they might perform such religious ceremony either in Church or chapel, or in any other way conformable to their consciences. If this was not admitted, they were willing to adopt another line. They acknowledged the religious nature of the ceremony, but they said, "Allow the members of the Church of England to go to the parish Church, and allow us to be married by our own ministers in our own chapels." There might be great simplicity in this plan; but considering the circumstances of the country, and the feelings of the people, it was liable to great objections. The Legislature would respect, as it ought to do, the religious obligations of the contract. But if the Legislature took no notice of the religious part of the contract, and said, that the civil contract was sufficient, and that everything then required by it had been performed, he thought that the ministers of the Church of England would complain of this as an unnecessary offence to their consciences, and that sufficient and due respect had not been paid to the religious ordinances which they considered themselves enjoined to observe. There was another way which the right hon. Baronet proposed—and in a manner, he would add, which reflected credit on his liberality, and which induced all the Members of that House who were Protestant Dissenters to acknowledge the enlarged and liberal views he entertained on the subject; but this was not satisfactory to them, as it was proposed that the marriages of the members of the Church of England should be left as at present, but that the marriages of Dissenters should be treated as a civil contract, and that the contract should be entered into before the civil Magistrate. This was a question of feeling; and he fully entered into the feelings which made the Protestant Dissenters say, that by a measure of that kind, the State acknowledged, that marriage was a religious ceremony in the Church of England, but it was not so as regarded the Dissenters. By far the greater part of the Dissenters regarded the marriage contract as much a religious contract as the members of the Church did. They said, "We have the same religious notions of the obligations of the contract as the members of the Church, but by this difference in the form you probably intentionally cast some stigma upon us." There remained another method by which the principle of relief could be afforded, and by which the Protestant Dissenters would be allowed to be married by their own ministers in their own chapels, in the way which they thought most conformable to their own consciences. He intended to propose that there should be one form with respect to all marriages; that instead of the contract being entered into by the present system of bans or licences, that it should be by means of a notice-book and licence. With respect to licences, almost all the higher classes were now married by means of them, as they were obtained for sums of money; but the poorer classes were married by bans, and their names were proclaimed in the church. As to the proclaiming the bans in the parish church, he wished to observe, that after having taken the opinions of many clergymen of the Church of England, as well as other persons, on the subject, that he did not think that they afforded the security against clandestine marriages which was intended by their use. He believed that this law subsisted long before the Reformation, and when every person in the parish belonged to the Church, and all were of one religion, and when the parish church was sufficiently large to embrace the greater part of the inhabitants of a parish, and when almost all persons resorted there. But in the present time bans were void and of no effect to all Dissenters from the Church, as well as to all persons who did not attend there. In populous parishes also, where not one-tenth or one-twentieth part of the population could attend, there was merely a huddled list of names read over, and this was done in the most careless manner; and clergymen had told him that it often occurred in an interval of the most solemn part of the service, and caused a most unpleasant and an almost indecent interruption of the service. He proposed, therefore, instead of this, that all persons about to be married should give notice to the registrar that their names might be inserted in the notice-book. That previous to the marriage the name should continue on the notice-book for twenty-one days; and that it should be open to inspection, and that the names of persons wishing to be married by licence, should remain on the notice-book eight days. There certainly was a distinction here between two classes; but it was not of such a marked nature as existed at present. Those who were married by licence had to pay a large sum for it, which those who were married by bans were for the most part unable to afford. He did not propose to do away with the special licences granted by the Archbishop of Canterbury, and, therefore, need make no observations on that part of the subject. As he had said before, the names were to remain on the notice-book for twenty-one days, and the registrar would then give a certificate of this to the parties, and within a certain period the marriage might be performed. It was not necessary for him to state the number of days to be allowed for this, as that could be arranged in the Committee. If the parties were members of the Church of England, they might, if they thought proper, have bans proclaimed in the church; but he proposed that the clergyman should not be bound to do so, unless the parties produced the certificate of the registrar. He should previously have stated that before the names of the parties could be inserted in the notice-book, that some persons known to the registrar should declare that the parties were really and *bona fide* what they purported to be. If the parties were not members of the Church of England, and did not choose to be married in the church, he proposed that they might be married in a Dissenting chapel, which Dissenting chapel must be regularly licensed for the purpose. He proposed that this should be done, provided twenty housekeepers signed a declaration that they had been in the habit of attending the chapel, and that they knew it to be constantly used as a place of public worship. When this was done the place was to be licensed, and it was to be described as a licensed chapel in which marriages could be contracted. After a Dissenting chapel had been licensed for the purpose, the Dissenting minister would be empowered to marry the parties, in the manner which was agreeable to their own feelings and conscience. It was to be recollected, with respect to the officiating minister of the Church of England, that he was well known, and that his designation and habitation were fixed, and there was great security as to proper care being used in performing the marriage ceremony. With respect to Dissenting ministers, he need hardly observe that they were a great society of persons; and it often happened that a person for a time became the minister of a Dissenting congregation, and afterwards laid down his charge. The consequence would be, that there would be great uncertainty and vagueness if some care was not taken. He therefore proposed, that in all marriages in Dissenting chapels the registrar should be present at the ceremony. Then there remained that class of persons to whom he had before adverted, but which certainly was not very numerous, namely—those who declared that marriage was a simple civil contract; and in order to make the measure complete, he should give them something resembling what the right hon. Gentleman proposed to give them in his Bill of last year. Instead, however, of making them go before the magistrate, as the hon. Gentleman proposed, he should prefer that the parties, in such a case, should go before the chief superintendent of the district, and that they should be married according to a certain form of words prescribed in the Bill. The only difference between the marriages in the Church of England and those in Dissenting chapels was, that in the former the clergyman would have to enter the date of the ceremony, and the names of the parties, in the parish register-book, and that he afterwards must prepare a duplicate copy of the certificate of marriage, which he must send within a few days to the local registrar, who would enter it in the usual way, and afterwards send it to the chief register office in London. It thus appeared that he did not propose that it should be incumbent on the registrar to be present at marriages in the Church of England; but in Dissenters' chapels he deemed it requisite that the registrar should be present. In the Church of England, then, all the forms of marriage would be preserved, and at the same time he trusted adequate relief would be given to the conscientious objections of the Dissenters. These were the chief points of the two Bills which he proposed to introduce. He thought by the proposed civil register they would have a further advantage, which he did not think could be obtained in any other way. It would relieve the Protestant Dissenter from that which he conscientiously considered a grievance, and, at the same time, it would afford good security against clandestine marriages. By passing these Bills, he thought that the Legislature would deprive the Dissenters of one of those grounds of complaint which had been adverted to in the King's Speech, and would relieve them from grievances which they considered a burden on their consciences. He thought for this purpose, above all, a system of civil registration was necessary, and therefore it was, that he was anxious to consider both Bills together. Thus, then, while no disadvantage was offered to the Church, a complete relief was afforded to the Protestant Dissenters of the grievances of which they complained. He would say a few words, and a very few, with respect to other practical grievances of which he had heard Protestant Dissenters complain during the last three or four years. The first complaint was, want of a civil and general register; the second was the want of a marriage ceremony, which was not offensive to their feelings. With respect to these two points, he had already addressed the House, and he trusted that the two Bills he proposed to introduce would afford an ample and satisfactory remedy. The third subject was the disabilities under which the Dissenters laboured, as regarded attending Oxford and Cambridge, which, at the same time, disabled them from attaining those eminent degrees in some sciences and arts which might be obtained by the members of the Church of England. On this subject he would merely observe that he had always been favourable to opening the Universities of Oxford and Cambridge to Dissenters; but he should be guilty of something like delusion if he held out any prospect of immediate relief in this respect. Some Protestant Dissenters, however, looked to another mode by which those honours and distinctions might be obtained, from which they ought not to be debarred in consequence of their religious opinions. He meant the establishment of a new University. This subject had occupied the attention of the Government, and his right hon. Friend the Chancellor of the Exchequer had devoted much time to devising a plan by which Protestant Dissenters, as well as all other persons, would be enabled to obtain their degrees, and that standing to which they were entitled, but which were now limited to those who studied at Oxford and Cambridge. This plan his right hon. Friend would shortly state to the House. Another matter of complaint was church-rates. Before, however, adverting to this, he would allude to the complaints that had been made, that ministers of Dissenting chapels were not allowed to bury deceased members of their congregations in the burying-grounds of the Church of England. He was not prepared to propose any thing on this point; but he would venture to say to those Protestant Dissenters who might be prepared to petition the House on the subject, that the great object all should have in view was, the promotion of religious peace; and that while they left the Church of England in the full enjoyment of the rights which it ought to possess, the Protestant Dissenters should be placed in such a position as to feel themselves perfectly free and equal in all civil concerns, and that this matter should not be an occasion of jarring or quarrelling between themselves and the members of the Church. He was sorry to hear that there were some among the Protestant Dissenters, who stated that they preferred going on with the contest between themselves and the Church on this point, as well as respecting church-rates, rather than the Legislature should interpose to promote peace and harmony. Nothing, in his opinion, could be more desirable than putting an end to those contests which unhappily subsisted. It was the duty of the Legislature to establish such a system of laws that those feelings of alienation which unhappily existed between members of the Church and Dissenters should be lessened as much as possible. At the same time both parties should yield to a mutual feeling of good will, and one party ought to feel that it possessed nothing which could be considered an injury to the other. If this state of things was ever established, he should be able to look with confidence to the settlement of the question of burying Dissenters by their ministers in the church-yards. He was sure, if they introduced a measure for this purpose at present, and gave Protestant Dissenters, at any time, and under any circumstances, the right of going into church-yards for the purpose of performing any religious ceremonies they pleased, against the wish of the clergyman, so far from promoting harmony, they would widen the breach which now existed. The clergy would feel that it was an unnecessary and unjust interference with them, and it would excite painful feelings in their minds, to see ceremonies performed in the church-yards, against which they entertained serious and conscientious objections. If, however, those feelings of harmony and goodwill were produced, he had no doubt that this might be made a matter of compromise between the clergy and the ministers of the Dissenters. A clergyman living in harmony in his parish, and having feelings of good-will to all classes of his parishioners, might freely be induced to allow a funeral ceremony to be performed by a Dissenting minister in whom he had confidence, and with whose piety and devotion he was satisfied, and from whom he did not anticipate anything obnoxious or insulting to his feelings. The subject of Church rates would form a matter of consideration and debate for another day; and he trusted that the end of these measures would be to establish firm peace between all religious parties in this country, and to do away those religious heats which now prevailed; and thus that a spirit of religious harmony would be engendered, in which respect he was sorry to say that England was far behind other countries. In commerce, in wealth, in industry, and, in some respects, in public instruction, there were some nations far inferior to us, but, in respect of religious tolerance and harmony, they were far before us. The noble Lord concluded with moving for leave to bring in a Bill to establish a general civil registration of births, marriages, and deaths in England and Wales

Mr. *O'Connell* rejoiced at the extent of the measure, as regarded the marriages of Protestant Dissenters; but he wished to know whether the measure extended to Roman Catholics?

Lord *John Russell* replied, that in England and Wales the provisions would extend to Roman Catholics.

Sir *Robert Peel* considered this subject to be one of too great importance to make any lengthened observations upon it until he had seen the Bill. There were two great principles to be considered in it. First, the interest which all had in common, Dissenters as well as Churchmen, namely, the preventing clandestine marriages, and the insuring the perfect regularity of the ceremony, so that young persons should not be inveigled into it. The second point was concerning the religious scruples of either party. As a member of the Church of England, he would at once say, that, as far as he understood the Bill of the noble Lord, he had no objection to make to its principle. The noble Lord proposed that members of the Church of England should continue to have their marriages solemnized in their churches; that the religious character of that ceremony should continue to be respected; that there should be required no other obligation whatever for the purpose of giving validity to the contract, than the performance of the religious ceremony. He was speaking of members of the Church of England; in their case, he would repeat, the noble Lord did not propose to superinduce any civil form whatever in order to give validity to the contract. He was reminded of the exceptions relating to the publication of bans, but this was antecedent to the religious ceremony, and of the civil registration; but this was after the religious ceremony: they were no doubt, civil matters, but he was speaking of the religious operation of the contract, which was not affected by the Bill. Members of the Church of England would not be prevented, he presumed, from availing themselves of the religious registration now in use, as well as the proposed civil registration. The noble Lord had on this point omitted to take into consideration the question of the emoluments which at present arose to many persons from the mode of registration now in use; but this was a matter of minor importance. In the case of the marriage of Dissenters the noble Lord proposed that the ceremony should be a religious one on the part of those Dissenters who attached importance to it as such. He could only say, that whether the measure which the noble Lord proposed as more satisfactory to the Dissenters than that which he Sir Robert Peel had last year the honour of bringing forward, were really so, he must, of course, leave as a question of feeling, on which the Dissenters ought to be considered and consulted; for his own part he could not but think the measure he had proposed calculated to be equally satisfactory with the present. This, however, as he had just observed, was a question to be decided according to the religious scruples and feelings of the Dissenting body. The noble Lord had, however, not precisely described the measure which he had last year introduced; the Noble Lord said that that measure proposed to continue the marriage contract as a religious ceremony in the case of members of the Church of England, but only as a civil contract in the case of Dissenters. Now this description of the measure, although not at variance with the truth, was not at all a complete or exact description of its character. He certainly had proposed that there should be a civil evidence of the contract, but he had not proposed this because he undervalued the religious ceremony: on the contrary, the preamble of the projected Bill expressly recited that the Legislature wished to encourage the religious ceremony. The Bill certainly left it to the parties to observe only such religious rites and ceremonies as they conscientiously felt disposed to; but it in no way undervalued the religious ceremony which he wished to have superinduced on the civil contract; all the Bill did was to obviate the necessity of the religious ceremony being a condition indispensable to the validity of the marriage contract. The noble Lord still proposed to make a difference between Dissenters and members of the Church of England, to which, he would admit, Dissenters could not fairly object; at the same time he might observe, that the Dissenter who reconciled himself to this difference might equally have reconciled himself to the provisions of the Bill which he had brought forward. Under the now proposed Bill, in the case of the marriage of members of the Church, the attendance of the registrar would not be required; while, in the case of the Dissenters, the ceremony would not be valid unless performed in the presence of a civil officer, the registrar of the union. In his Bill, the magistrate was the civil officer before whom the marriage was to be celebrated. Then, as to the registrar's attendance, he (Sir R. Peel) did not exactly see how it would be possible to insure the attendance of this officer, if there were to be only one in the Union, at every Dissenter's marriage. Supposing all these marriages to take place on the Sabbath-day, it would be extremely difficult for the officer to perform his many duties; and, on the other hand, it would be impossible for the Dissenters, under the contemplated circumstances, to make a free choice as to what day they would be married on, which would be a hard case. One great inconvenience and annoyance under which the Dissenters laboured, was in having their marriages performed in a place of worship in which they held no communion. Now, under the proposed Bill, suppose the registrar to be a member of the Church of England, yet he was required to be present at every marriage celebrated under every form of religious worship which Dissenters might think it their conscientious duty to adopt, whether Roman Catholic or any other species of dissenting form. The noble Lord, in proceeding with this Bill, must take care to guard against the possibility of fraud, or evasion of the law on the part of false pretenders to religious scruples, who, making a pretence that their principles of religion taught them to consider the religious ceremony as not necessary to the validity of the marriage contract, might seek means of evading the law, and throwing families and society into confusion. He was not speaking of respectable and conscientious Dissenters, but of those who, under pretence of being of their profession, sought to evade the law. He must say again, that after carefully considering the nature of the proposed Bill, he saw little material difference between it and the Bill he proposed last year; but if it were more palatable to the conscientious Dissenters, they certainly had a right to adopt that which they found most consonant to their religious feelings; and if they were pleased with the present measure in preference to his, he was quite ready to say that, for his own part, he had, as a Churchman, no objections to the principles of the noble Lord's Bill. All he would stipulate for was, that the very utmost precautions should be taken that the real object of the Bill should not be defeated, for any fraud or evasion of the law would be dangerous to society and to property, and destructive of the peace of families.

Mr. *Baines* rejoiced to find, from what had fallen from the right hon. Baronet opposite, that the proposed measure was not objectionable in the eyes of members of the Established Church, and he believed, though he spoke only as an individual, that it would be equally acceptable to the Dissenters. Nothing could be more beneficial than a general system of civil registration of births, marriages, and deaths; and he (Mr. Baines) looked upon the present measure, in its general outline, as calculated to effect that desired object. He differed from the right hon. Baronet, who thought that there was no material difference between the Marriage Bill announced this night, and the one brought forward last year, for he thought the noble Lord's measure would obviate a very important objection, which applied to the plan announced by the right hon. Baronet, who drew a distinction between the marriages of Protestant Dissenters and those of members of the Established Church, the former of which were to consist, as far as the law was concerned, in a mere civil compact, while the latter had the sanction and force of a religious obligation. In the Bill of the noble Lord, the members of the Established Church would be married according to their own marriage ceremony; the Protestant Dissenters would be married by their own Ministers with equal solemnity; and those that preferred the civil contract, were here left at liberty to adopt it in the presence of the registrar, who would become an attesting witness. With respect to the question of Church-rates alluded to by the noble Lord, he (Mr. Baines) hoped that they would soon arrive at a conclusion equally satisfactory to the members of the Church and to Dissenters. On this subject, speaking merely as an independent Member of Parliament, and not as the representative of a body of Dissenters, he might express his decided opinion that the Dissenters would never yield their consent to any mode of arranging that matter that did not go to the actual and absolute extinction of those rates without commutation. As to the admission of Protestant Dissenters to the Universities of Oxford and Cambridge, they had long claimed that privilege; but if collegiate benefits and honours could be secured to them of equal value by other means, he supposed that the principal cause of their discontent on that head would be removed. The Dissenters did not, he believed, insist very strongly upon the right of their Ministers to perform the funeral service in the parish church-yards, unless with the concurrence of the clergyman. To insist upon this privilege would, in certain cases, be to violate the conscientious scruples of the Minister of the Established Church; and the Protestant Dissenters of England, if he understood their characters, were as little inclined to do violence to the consciences of others as they were to submit to the violation of their own consciences.

Mr. *O'Connell* expressed his extreme satisfaction at the plan developed by the noble Lord. The relief which it would give Roman Catholics from many of their inconveniences and annoyances was considerable, and the advantage to the State would be no less so. At present, when the law required a twofold ceremony to be gone through in the case of the marriage of a Roman Catholic and a Protestant, many of the poorer Roman Catholics neglected the second ceremony on account principally of the expense, and the consequence was, that in a great many cases this neglect rendering the marriage invalid, parishes were, after a few years, burdened with numbers of illegitimate children.

Mr. *Goulburn* thought the Bill did not

provide sufficiently against cases of fraud. He should, however, in the progress of the measure, take further occasion to express his opinions on several parts of it.

Lord *John Russell* thanked the House for the very favourable manner in which it had received his proposed measure. After the broad and liberal principles which were stated last year by the right hon. Baronet on this subject, he had felt assured of his support of the present Bill. With reference to the objection which had been made on the point of one registrar's being insufficient to attend all the marriages of Dissenters within his registry, he (Lord J. Russell) would reply, that he believed there would generally be one registrar to every 5,000 persons, which would be sufficient, the calculation being, that the marriages, in proportion to the population, were less than one per cent. With reference to the facility which would be given to clandestine marriages, he did not think his Bill inferior in this respect to the Bill of the right hon. Baronet.

Sir *Robert Peel* observed, that when no point of honour was concerned, he had sanguine hopes that many of the Dissenters, particularly the female portion of them, would prefer being married in Church.

Motion agreed to—Leave given.

Leave was also given to bring in the Bill for regulating Marriages.

HOUSE OF LORDS,

Monday, February 15, 1836.

Minutes.] Petitions presented. By Lord Wynford, from Shackfield, for Relief to the Agriculturists.—By Lord Wharncliffe, from Cleveland and Bury St. Edmond's, with the same prayer.

HOUSE OF COMMONS,

Monday, February 15, 1835.

Minutes.] Petitions presented. By Mr. Brotherton, from Rochdale, Mr. Divett, from Exeter, and Mr. Sanford, from Yeovil, in favour of Mr. Buckingham's Claims.—By Dr. Bowring, from Owners of Omnibusses at Port Glasgow, against the Tax imposed on those Vehicles.—By Mr. Cayley, from Richmond, and other Places, and by Mr. W. Duncombe, from Northallerton and other Places, for Relief for Agriculture.—By Mr. Pease, from an Individual at Hull, against the Printer's Acts.—By Mr. Ewart, from Calcutta, for a Reduction of the Duties on East-India Produce.

Divorce Bills.] Mr. *Tooke* rose to move a Resolution for referring Divorce Bills to a Select Committee, empowered to hear Counsel, examine witnesses, and verify documentary evidence. His wish was to obviate the necessity of painful and disgusting exhibitions at the Bar of the House. When witnesses were examined at the Bar in divorce cases, their evidence was frequently given so as not to be heard, and when it was heard it generally turned out to be painful, if not disgusting, to the feelings. His object was, to remedy the evil by referring such evidence to a Select Committee. He was aware that the present practice of making divorces subjects of legislative enactments was thought questionable by many persons, and that it might be considered better to refer such matters to the Privy Council, or to some other more competent tribunal; but till a new and comprehensive measure could be introduced on the subject, he was of opinion that the appointment of such a Committee as he proposed would be advantageous. He had spoken to the Members whom he proposed to nominate on the Committee, and they had promised to attend, so that he could guarantee the utmost attention would be paid in all cases referred to them, and the House would be spared a considerable waste of time upon matters with which it was incompetent to deal effectually at present. The hon. Member moved—"That a Select Committee, to consist of not more than nine Members (three being the quorum), be appointed, to whom shall be referred every Divorce Bill, on the second reading thereof, with power to hear Counsel, examine witnesses, and verify the documentary evidence produced, three at least of the Members who shall have attended at the opening of the evidence in any one case to be present at each meeting upon it, until report made; and that after the appointment of such Committee, the practice of hearing Counsel and examining witnesses on Divorce Bills at the Bar of the House be discontinued, except when otherwise specially ordered."

Mr. *Hume* put it to his hon. Friend whether he would take this important step without the concurrence of a law Officer or Minister of the Crown?

Mr. *Tooke* said, he had been in communication with the Chancellor of the Exchequer and the noble Secretary for the Home Department, and the former had intimated his opinion, that, although a better remedy might be hereafter devised, this plan was a great improvement on the present system. The hon. and learned Member for the Tower Hamlets approved of the plan as far as it went, and would support it. He hoped that the House would agree to the experiment till some more permanent remedy could be devised.

Sir *Robert Peel* recommended the hon. Gentleman to consent to a postponement of his Motion, and suggested the importance of considering whether the prospect, or at least the possibility, of publicity under the present system did not constitute a material check upon collusion and an evasion of the law. He thought that time should be allowed for deliberation before proceeding with the Motion.

Mr. *Divett* thought that the time had arrived when some change should be made in the existing system, which did not conduce to morality and encouraged collusion. He would not now enter upon a discussion of the question, but he gave notice, that when the next Divorce Bill came before them he should take the sense of the House on the subject, with a view to an alteration in the present mode of proceeding.

Dr. *Lushington* was clearly of opinion that the practice of individuals obtaining private Acts in questions of divorce was most injurious; and though he did not go the length of believing that in the majority of cases collusion existed, he thought the existing system one which ought to undergo an entire revision. As soon as time and opportunity permitted, the whole question of divorce ought to be referred to some competent jurisdiction, whether to that which had at present cognizance of matrimonial matters, or to some other body, he did not say, but he was decidedly of opinion that the practice of obtaining Private Acts of Parliament ought to be abolished. He said this, because under the present system they were matters of private canvass or mutual agreement, and because Parliament was not the fittest tribunal to pronounce an opinion on questions of this description. With respect to his hon. Friend's Motion, if new Divorce Bills were to be introduced, and if no attempt was made to alter the present mode of proceeding, he agreed with his hon. Friend in preferring an examination before a Select Committee to an examination of evidence at the Bar. In reference to what had fallen from the right hon. Member for Tamworth on the subject of publicity, he assured the right hon. Baronet that this House was never considered as a safeguard against collusion. Parties looked to the House of Lords, and when Divorce Bills passed the Lords, in nineteen cases out of twenty the proceedings of this House were considered as matters of course. Nothing but a most mature consideration of the question in all its bearings, especially with reference to the great importance of keeping the marriage tie solemn and unbroken, and affording no undue facilities to divorces *a vinculo*—nothing short of this would suffice to produce a satisfactory remedy.

Lord *John Russell* said, that if he did not feel disposed to agree to the Resolution of the hon. Member for Truro, it was partly on the ground that so momentous a subject ought not to be disposed of in this manner, and partly because he did not think the present an appropriate remedy; but he did not oppose the Resolution, because he was of opinion that the present mode of passing Divorce Bills was satisfactory. According to the present method of obtaining divorces it required the possession of considerable wealth to procure an Act of Parliament;—divorces were carried, and the investigation at the Bar was a mere form and mockery. However, the present mode of proceeding diminished the facilities of obtaining divorces, which was one of its advantages, and sanctioned the opinion that they ought not to be lightly granted. As to the proposition for referring divorces to a special tribunal and a jurisdiction created for the purpose, he would not enter upon it now; but in reference to the plan before the House, he thought that a more satisfactory one might have been suggested. This mode erected a special tribunal, but unfortunately did not qualify it for the jurisdiction assigned it. There was no security that those nine individuals would be persons in whose hands it would be proper to place great judicial powers; and when the hon. Gentleman said, that three should be a quorum, he thought the matter still worse. If a stated tribunal of one or three individuals were appointed to act as Judges in divorce, no one would canvass them; but when a Committee of nine was appointedthree of whom might act, nobody would look at it in the same light, as a judicial tribunal, and persons would not think themselves debarred from soliciting its members, so that you would give this Committee the enormous power of Judges, without investing its members with the sacred character which Judges ought to possess. Great changes were making in the law from year to year, and Government was disposed, as speedily as it could, to take this question into consideration, other and more pressing matters being disposed of. The opinion of the hon. and learned Member for the Tower Hamlets would doubtless have great weight with Parliament and the country, but he implored the House not to agree to a supposed remedy which would aggravate some of the mischiefs of the present system, without producing a satisfactory tribunal in cases of divorce.

Mr. *Tooke*, after the declaration of the noble Lord (Lord J. Russell), although he apprehended the reform of the law might come rather late, would, with the permission of the House, withdraw his Motion.

Motion withdrawn.

Canada.] Mr. *Roebuck* said, that as he believed, the hon. Baronet (Sir G. Grey) had not made up his mind on the subject of the production of the instructions given to Lord Gosford, and the Commissioners appointed to inquire into the grievances complained of in Lower Canada, he was willing to postpone his Motion for the present.

Sir *G. Grey* had fully made up his mind on the subject, and was prepared to state his views to the House in a few words. Means had been taken to settle the differences subsisting between this country and Canada, and he trusted with every prospect of success. But great inconvenience might result from the production of those instructions while the Commissioners were still engaged in an investigation of the alleged grievances of Canada, and inquiring into their reality and extent. On this ground alone he objected to the Motion. He was happy to say, that a great deal had already been done to allay the differences between this country and Canada.

Mr. *Roebuck* said, as he had the same object in view as his Majesty's Government, to conciliate all parties, and as he did not wish to interfere with existing negotiations, he should not press his Motion; but he hoped the House would allow him to say a word or two with regard to the present state of Canada. The hon. Baronet said, that the Assembly had done much, as far as they had yet gone, to allay the differences between Canada and the Government. He was glad to hear that. He understood, that the Governor, by his bearing and conduct towards the House of Assembly, had done much to allay those differences. He believed that Lord Gosford, in his capacity of Governor-general, had, as far as possible, done every thing in his power to conciliate the people of Lower Canada, and reconcile them to the Government of this country; and he understood that the means which had enabled the noble Lord to do this were in no slight degree attributable to the hon. and learned Member for Dublin. With that hon. and learned Member he had had no communication, but as the learned Gentleman was so often spoken of as wishing to create confusion, he was happy to be able to say, that in this case the learned Member's name and recommendation had been the harbinger of peace, and had done much to maintain the connexion subsisting between this country and Canada. He knew that the good word of the hon. and learned Gentleman did prepare the agitated minds of the people of Lower Canada (for the hon. and learned Member possessed a great moral influence there, as well as among his own countrymen) to receive with great confidence all the advances of Lord Gosford, and he was happy that the noble Lord, acting in the spirit of his Majesty's Government, had done all in his power to conciliate the people. He was sorry that by doing so Lord Gosford had incurred the virulent abuse of a party opposed to the people. By the exercise of a little common courtesy, and by displaying a wish to conciliate the people, the noble Lord had raised up in the minds of a party calling itself constitutional and English, the greatest possible enmity, but he anticipated Mr. Speaker's objection to this course of observation, and would not proceed. He could not avoid expressing his approbation of the Governor-general in acting in the spirit of the instructions of the Government, and he trusted the noble Lord's exertions would be crowned with success. In conclusion, he begged leave to withdraw his Motion.

State of the Mauritius.] Mr. *Roebuck* rose for the purpose of calling the attention of the House to the state of the administration of justice in the Mauritius; and he was sure, after stating the extraordinary circumstances on which he founded his Motion, he should not be refused that Committee of inquiry which they imperatively demanded. He knew that at the outset he had a great difficulty to encounter, arising from the apathy which somehow prevailed in that House respecting our distant possessions: it was an agreeable thing to extend dominion, but a disagreeable thing to govern fresh-acquired possessions properly. But he hoped he should not appeal to that House in vain for justice, when he unfolded to them a system of corruption and misrule which the Colonial annals of England hardly could parallel. He was about to bring charges of no ordinary import, involving three successive governors; and while he appeared as a suppliant for justice in behalf of the inhabitants of the Mauritius, he stood also in the character of defender of British commerce in that colony, for it was well known that a great number of merchants had memorialized the Government on the subject, seeing that their commerce and trade were altogether endangered, in consequence of the corrupt condition of the Courts of Justice in that country. All he had to do being to lay sufficient ground for inquiry, he would not attempt to prove all he should assert, although he had documents sufficient to do so, if the temper and feeling of the House would permit him to enter at length into all the complicated transactions of the case: he should content himself with establishing such a case of suspicion as called for inquiry, and that he pledged himself to do before he completed the task he had imposed on himself. Before, however, entering on the statement he was about to submit, it was necessary he should, with the permission of the House, make certain preliminary observations respecting the state of the island. It must be known to the greater part of those he addressed, that the Mauritius was an island in the midst of the Indian seas, peculiarly important to our commerce; that it was taken by the English in 1810, and finally ceded to this country by treaty of peace in 1814. Its population was about 110,000, embracing 50,000 slaves, between 30,000 and 40,000 free coloured population, and something more than 10,000 free whites. The parties for whom he appeared were the whole of the slave population, the whole of the coloured free poulation, and a very large portion of the whites. But there was a small portion of the whites who had been enabled, by the corrupt state of the Courts, to domineer over the others, and to turn all the powers of the Government to their own personal and corrupt purposes. The law of that country was a strange compound of the old French law, the ordinances of the French authorities, and the edicts of the English Government. For the administration of this law three separate sets of officers were established—legislative, administrative, and judicial functionaries. The legislative functionaries were the Governor and the Legislative Council; the executive comprised the Governor and the Executive Council; while the judicial branch was composed of two parts—Courts of the first instance and the Supreme Court. As soon as the colony came into the possession of the English, they were desirous of putting down slavery, and ameliorating the condition of the slave population. With that view slave trading was declared a felony, and in order to create something like impartiality in their favour, an Order in Council was passed, in consequence of a Resolution of that House, to the effect that no governor, judge, or registrar of slaves—that, in fact, no person, in any way whatever connected with the administration of justice—should hold any species of slave property, either directly, in trust, or mortgage. Now, he had to charge the whole body of those functionaries with holding slave property. He had to charge Sir Charles Colville, the late governor, with speculating and creating debts in slave property. He had to charge Chief Justice Blackburne; he had to charge Mr. Dick; he had to charge the officers of the Supreme Court—in fact, he had to charge nearly the whole of the functionaries of the island with the same gross violation of that Order in Council. It was his duty to declare to the House the disastrous consequences of that state of things; and first of all as to its effect on the actual existence of the law. It was known, at least to Government, that so soon as this country obtained possession of the Mauritius, there arose a party in that island opposed to the rule and dominion of England, because she had interfered to put down the slave trade, and endeavoured to ameliorate the condition of the slave population. When the Order in Council to which he had referred became known, the feelings of opposition to the yoke of England became much stronger, and he had no hesitation in charging them with having committed acts of open rebellion, and exciting treasonable conspiracies against the Government and rule of this country. He charged the whole of the functionaries of that country with being cognizant of those offences, without reporting them to the home Government. He had undeniable proof of this to urge before the Committee. In a despatch from the Secretary of State—a grave and solemn document, to which was attached the name of Lord Goderich, now Earl of Ripon—this charge in so many words was laid to their account. It so happened that they were then intrusted with making some alterations in the code of that country, and they altered it so as to create the suspicion in the mind of the Secretary of State that they did so with the sinister purpose of favouring those who were opposed to the rule and dominion of this country. The despatch charged the local authorities with executing the task confided to them in a spirit of bad faith, in order to secure to the seditious impunity, at least, if they failed in their resistance to the Government and the laws. With respect to the state of the colony at this time, the despatch declared that armed associations existed expressly, as was afterwards proved, for the purpose of throwing off the English dominion. There was also then sitting the Colonial Committee, which really governed the colony, and of whose proceedings the Government at home had no information. There was not the slightest chance of justice being obtained by any one who was not in some way connected with that Committee or armed body. About that time other regulations were made in England respecting slave property; a registration was ordered of all the slaves in the colony, for the purpose of discovering whether any had been illegally imported. It having been determined by the Commissioners of Eastern Inquiry that a large body of slaves had been imported after the cession of the colony, who were consequently legally free, Sir George Murray very properly, and with great benevolence of intention, threw the *onus* of proving who were and who were not free, not on the unfortunate slaves, but on their possessors. In consequence of that regulation, the slave-holding population of the Mauritius rose into almost open rebellion, calling on their friends to resist its being carried into effect. When the colony was in that excited state, Government sent out Mr. Jeremie, and his evidence was worthy of regard, both from the situation he formerly held as Procureur-General in the Mauritius, and that to which he had recently been appointed, as Puisne Judge in Ceylon. Besides the evidence of Mr. Jeremie, he should have to adduce that of Mr. Reddie, to which no objection could be made, Government having, in fact, appointed him Chief Justice of St. Lucia. When Mr. Jeremie went out, what was the conduct of the governor, the executive officers, and the people respectively? The governor and the executive officers dreaded the appearance among them of a person of Mr. Jeremie's character, because they themselves were guilty of infringing a most stringent law; it was, therefore, necessary to create some difficulty about his landing. With this view armed bodies assembled, and the volunteers, as they were called, determined that Mr. Jeremie should not be allowed to set foot on shore; in other words, they resolved that a high officer, sent out by the Government of this country to administer the law should not land in the Mauritius, because he was supposed to be the bearer of certain regulations, which would not be palatable to the owners of slave property, and also because, from his known character, it was supposed he would unflinchingly do his duty in the office to which he had been appointed. Whilst these steps were taken by the insurgents to prevent the landing of the officer sent out by the home Government, what was the conduct of Sir Charles Colville, the governor of the Island? He pretended to be dreadfully alarmed, turned out the whole of the military, stationed fifty men in his own house, to protect the life and property of the Governor; but at the same time, his apprehension, as it will seem, extending only to the idea of the governor in the abstract, and not to the governor in person, he was content to ride about the Island in broad day, attended only by a single aid-de-camp. Mr. Jeremie, however, effected a landing; and shortly afterwards it became necessary that he should be sworn into the office to which he had been appointed. The Judge, whose duty it was to perform this office, refused to administer the oath. Mr. Jeremie presented himself, but the Judge positively refused to swear him. What, under these circumstances, was the course taken by the governor? Did he suspend the Judge who treated the authority of the home Government with so little respect? Did the Chief Justice remonstrate? No. What course then was taken? Why Mr. Jeremie was sent home, as it were, in disgrace; and for no other reason than because it was supposed by the colonists that he would endeavour to carry into effect the views and intentions of the home Government. Was it to be pretended that the governor of a colony was justified in acting in such a manner? or would it be maintained, that a Governor so acting ought not only to be removed from his government, but also to be dismissed from the service in which he held rank? He contended that the conduct of Sir Charles Colville, as regarded his treatment of the officer sent out by the home Government, was criminal; and that was one of the grounds upon which he should rest his Motion for a Committee of Inquiry. Well, Mr. Jeremie came home, was again despatched to the Mauritius, and again as speedily returned, when the feeling of the home Government was so far aroused, that Sir Charles Colville was removed from the government of the Island, and Sir William Nicolay appointed to succeed him. When this change had been effected, Mr. Jeremie was again sent out, and what was the condition of the colony when he arrived? The Government of the Island was actually vested in the hands of what was called the Colonial Committee—that was to say, a Committee formed for the express purpose of thwarting the designs or resisting the authority of the home Government; whilst at the same time an extensive conspiracy had been entered into throughout the Island, by means of which, under the pretence of putting down the slave insurrection, it was hoped effectual steps might be taken to throw off the yoke of England. He was in possession of decisive evidence upon that point—evidence which he would not then detain the House in detailing, but which he had a right to mention as forming a good ground for inquiry. Furthermore he charged the whole of the executive Government with being cognizant of the real state of the colony, and of taking no step whatever to put down the rebellion which they knew to exist. He now came to another point of the subject, one in which the noble Lord opposite (Lord Stanley) was materially implicated. As he had already stated, a charge of treason was made against the authorities in the Mauritius by Lord Goderich, in a despatch which bore that noble Lord's signature; but he had every reason to believe that that despatch was not sent out until after the noble Lord (Stanley) opposite had received the seals of the Colonial-office. What was the course taken by the noble Lord? For a whole year he left the Island of the Mauritius without a single despatch. In other words, he left the population of that Island to have justice administered to them by Judges whose character had been impeached by the highest authority in the kingdom—allowed the fountain of Justice to be poisoned in its source—destroyed the confidence of the people in the Government of England—and did as much as possible to destroy the power and character of this country in her colonies. But not content with this criminal negligence in the first instance, when a whole year had been allowed to pass over without inquiry, the noble Lord became as criminally hasty in the proceedings he adopted; for without any inquiry, without any public investigation, he exculpated the Judges whose conduct his predecessor in office had denounced, and continued them in a situation which his predecessor had declared they were unfit to fill. Thus the noble Lord combined in one act nearly all the faults of which a statesman could be guilty; and he must say, that here again he had the key of the noble Lord's conduct, when he found him alike in Ireland, in America, in Africa, and in a remote island in the Indian Sea, the friend of despotism, and the fomentor of discord, and the advocate of bigotry. During the long period of twelve months (if he might imitate the gentle and generous style of insinuation adopted by the noble Lord the other evening), he would not take upon himself to say how the noble Lord's time might have been employed. It might have been in forging chains for the people of Ireland, whom he had excited to rebellion—it might have been in framing coercive laws for the people of North America, whom he had also goaded into a state of incipient insurrection; but, however it might have been employed, it was certain the noble Lord had left the administration of justice in the island of Mauritius in the hands of Judges whose conduct had been declared by Lord Goderich to be not only illegal, but treasonable. When Mr. Jeremie was, at length, permitted to commence his inquiries, he discovered why the Chief Justice of the island was in the power of the conspirators—he discovered that the Chief Justice was a possessor of slave property to a very considerable extent. Acting, therefore, on the Roman law, which was the law of the island, that the Judges should be *omni exceptione majores,* he objected to them every one, with the exception of Sir William Nicolay, being slave proprietors. With respect to Mr. Dick, he would say, that he had been auditor of the public accounts in the Mauritius at the time of the defalcation in the accounts of Mr. Theodore Hooke. He was dismissed from office on that occasion, but by some sudden change he who was dismissed as auditor of accounts soon after turned up as the Secretary of the colony. This Mr. Dick was indebted to all those parties whose fitness as Judges he was one of those appointed to try. Any comment on that subject was unnecessary on his (Mr. Roebuck's) part. As to Sir William Nicolay, he was a soldier, and it would not be fair to expect from him to be well versed in legal matters. But it was not too much to expect that he should be acquainted with the common principles of justice. What course had he taken? He shut his Court of Inquiry, made the inquiry a private one, and thus shut out the prosecutor, Mr. Jeremie. He had the witnesses examined separately, without giving to Mr. Jeremie the opportunity of hearing them; and, under such circumstances, it would not surprise the House to learn that the result of the investigation was a decision against the Procureur-general. He did not charge Sir William Nicolay with corruption, but he did charge him with a gross violation of the principles of justice, which his experience at a drum-head court-martial might have taught him. The charge against the Judges was, as might have been expected under the circumstances, negatived, and a charge was made against Mr. Jeremie for having brought it. Now, what was the ground of Mr. Jeremie's objection to the Judges? He objected on the ground of the ordinance of 1826, by which it was declared that no proprietor of slaves, or any holder, directly or indirectly, of slave property, could exercise the office of Judge, or protector of slaves, or could hold the office of Fiscal or Attorney-General, or be a Bishop or Clergyman in the colony. The Chief Justice was a slave proprietor, but how had he got rid of the property in them? Was it by public and open sale in the market? Nothing of the kind. They were disposed of by notarial agreement to a person who could not have been the *bonâ fide* purchaser of property worth about 6,000*l.*, as he had declared himself not worth 300*l.* The consideration given for them was by a note of hand at a long date, and bearing interest at five per cent. The fact was, the Judge retained in this way his interest in the slave property, which he would contend was a fraud on his part. It was a fraud aggravated by the fact of his being sworn to the due administration of justice, and whose conduct should be not only free from blame, but above all suspicion. The notarial document was afterwards discovered, and the opinion of Judge Reddie upon it was transferred to the governor. That opinion stated, that Mr. Blackburne, the Chief Justice, according to his own statement, had signed a false notarial agreement, in order to enable him to hold his situation as Judge, and at the same time to derive a profit from slave property. The Judge's opinion on this matter left the Governor no possible way of avoiding, consistently with his duty, the vindication of the law. But what had been the consequence of those proceedings to Mr. Jeremie and Mr. Reddie? Why, a despatch was sent out by the noble Lord (Stanley) in which the Governor of the colony was informed that those who had brought charges which they could not substantiate should be suspended, and the result was, that Mr. Jeremie and Mr. Reddie were sent home. There were soon after successive changes in the administration of the Colonial Department. The immediate successor of the noble Lord was the present Chancellor of the Exchequer, who went one step further than his predecessor, and declared that the Judges against whom the charges had been brought were free from any stain with respect to those charges. The noble Lord, the present Colonial Secretary, went still further, and re-appointed Mr. d'Epinay as Procureur-general, from which situation he had formerly been dismissed by Lord Goderich, as holding slave property, and was under the late Abolition Act entitled to compensation as a slave owner. The noble Lord should, before he restored him, have made himself acquainted with the cause for which he had formerly been removed. If the colony had been restored to a tranquil state, he might say that these were evils out of which good had arisen, but he would ask what was the state of the colony at the present moment? He called upon the hon. and learned Member for the Tower Hamlets, as well as the hon. Member for Weymouth to bear witness upon that point. He wished the hon. Member for Weymouth to state to the House the consequences of the ordonnance issued by this very faction now in power against the whole population of Mauritius; and he would ask the hon. Member for the Tower Hamlets to state his opinion of the consequences of the determination come to by the Chief Justice? Why, would the House believe that by that ordonnance the whole intentions of the British Legislature respecting the slave population had been frustrated—that by it slavery had been re-established in Mauritius, and not merely slavery, but the slave trade? Nay more—by that ordonnance every free labourer was in fact made a slave; for if any servant could not get employment within a month, it was directed by this ordonnance that he should either be banished from the island or become an apprentice. Could anything be a more gross violation of the intention of the Legislature? In consequence of that ordonnance the press had been put down in that colony; the editor of the only paper in the colony which advocated the cause of the free and coloured population and of the slaves, had been condemned in a fine of *50l.* for a libel against the Procureur-general, and the fine not being paid, the man was banished, and the paper suppressed. He, therefore, contended that the transactions in that colony required immediate investigation. Every one of the facts he had stated he pledged himself to prove before a Committee by official documents. He now came to what he conceived was the strongest point in his case. Mr. Jeremie had been lately appointed as a Puisne Judge at Ceylon. Before his appointment it was stated to the heads of the Colonial Department that it was the intention of the delegates now in this country, sent from the Mauritius by the people of that colony, to bring this case before Parliament. It was stated also that Mr. Jeremie's attendance was absolutely necessary, as a witness, to make out that case, and it was, therefore, requested of the Colonial Minister that Mr. Jeremie might not be sent away. In spite of this information, the Government chose to appoint Mr. Jeremie a Judge at Ceylon, and ordered him to secure a passage, by which certain expenses were incurred. Still the delegates reiterated their statement that they required Mr. Jeremie as a witness, and that he ought not to be spirited away. When this expense was created the head of the Colonial-office and not till then, (thinking probably that the delegates—would not be able to get over the difficulty of the expense), said that he could not in fact relieve Mr. Jeremie; but that if he were willing to stay, well; but if so the Colonial-office could not consent to pay his expenses. Mr. Jeremie was applied to, and declared his willingness to remain, and the delegates then offered to pay his expenses. Would the British House of Commons believe that the people of a distant colonial possession, after sending delegates to England to demand of the Legislature inquiry into and redress of their grievances, were condemned to pay 1,000*l.* for the attendance of one witness—1,000*l.* of unnecessary expense, created by the Colonial-office, and paid in hard money to the head of that office? Could the Government, after that, deny the inquiry demanded? It was impossible. If they really did mean to refuse a Committee, it would but have been decent and merciful to have told the delegates of that intention when they applied to the Colonial-office, to prevent Mr. Jeremie being sent away. It was well known that if the Government had intended to grant a Committee, that having a working majority in the House, they could have done so; and on the other hand, if they had intended to deny a Committee, they could have equally succeeded; therefore it would have been but honest and decent to have said either that they did intend to grant it, or that they did not. Having paid, contrary to all rules of British justice, and contrary, he was sure, to the feelings of the British people and of that House, 1,000*l.* for their witness, it was impossible that the Government could deny the Committee now asked for. He would affirm, then, that he had made out a case for inquiry;

first, on the ground of the strong complaints of the people of the Mauritius; secondly, on the ground of the charges which had been brought by an individual holding an official situation in the island against the whole administration of justice in that country; and, thirdly, he had made out a case for a Committee by his statement of the conduct of Lord Glenelg and the Colonial-office. He could not by possibility suppose that the House would deny all justice to the colonies of this kingdom; and that our dominion, instead of being, what it ought to be, the dominion of a great and civilised nation, spreading her protecting flag over her remotest dependencies, should be in the eyes of our colonies and of Europe merely a tyrant and despotic holder of power for her own selfish ends—not an intelligent and honest nation, making her Government beloved as well as feared. He wished honour to his country, but that honour would not accrue if instances of this kind were allowed to pass without investigation and without redress. The Government ought not to fear inquiry; first, because it ought not to do anything which it was afraid should see the light; and secondly, because if anything were done by any public officers that was complained of, it was the duty of the Government to inquire into, and afford redress. Redress ought not to be refused because the parties complaining were at a distance from our shores. If the colonies derived protection from this country on the one hand, so, on the other, they rendered services to us; and rendering us those services, we owed to them the obligation of giving them fair and impartial justice. On the ground of justice, and of nothing else, he demanded an investigation into the charges which he had made.

Sir *George Grey:* I can assure the hon. and learned Member and the House, that from the experience which I have had in the Colonial Department, I have not witnessed that apathy which he seems to attribute to the people of this country, with regard to the interests of the British colonies. On the contrary, I have found, and I do not say it in the language of complaint, for I rejoice at it, that there is scarcely a case of abuse, or an alleged offence, committed by any individual in office in our colonies, which does not find its way to the House of Commons; and looking back only to the last Session, I may say that sufficient evidence has been afforded of the readiness on the part of this House to appoint a Committee to investigate charges connected with the government of our colonies, when grounds for such an investigation were laid before them. The hon. and learned Gentleman, therefore, in bringing this question before the House, has adopted that course which is the most sure to promote the ends of justice; for if, after hearing the explanations which it will be my duty to submit to the House, sufficient grounds for an inquiry still remain, the proposed investigation will, doubtless, be acceded to; while, on the other hand, if, as I anticipate, those explanations should be satisfactory, I am confident the House will not be disposed to take a step calculated to revive animosities now happily allayed, and to check that healthy current of affairs which in the Mauritius has succeeded to the disorder and confusion which recently prevailed there. The House ought to be convinced that the appointment of the Committee would be attended by a beneficial result, and that it would not have the effect of disturbing social order, interrupting commercial prosperity, and producing those very evils, on the termination of which we have been sincerely congratulating ourselves. The hon. and learned Gentleman has alluded to the traffic in slaves which formerly prevailed in Mauritius. I fully concur with him in reprobating that traffic in the strongest terms, and I deeply lament that it should ever have been tolerated by any civilized country. It is, however, well known that Mauritius, till the period of its conquest in 1810, was a French colony, and up to that time the slave-trade was in full operation, unchecked by any law. It is not a matter of surprise, with the facilities afforded from its situation and other circumstances, that on the colony coming into our possession in a time of war, the practice should not immediately have been put a stop to; nor am I disposed to think that the measures taken by the local authorities for this purpose were proper, or that existing regulations were enforced in the manner in which they ought to have been.

The Report of the Commissioners of Eastern Inquiry, in 1828, on this subject, affords melancholy and convincing proof of the extent of the traffic after the island came into our possession, though that Report states that the evil did not exist, except in very few instances, after the year 1821, and no doubt can be entertained of the efficiency of the measures which have been adopted in late years by his Majesty's Government for its complete suppression. I am anxious, therefore, not to go back to those times for the purpose of criminating parties who have already incurred severe censure, while no evil for the future remains to be remedied. The hon. Gentleman, however, has brought a charge against his Majesty's present Government, as connected with this subject, which I am happy to have an opportunity of meeting. He has stated, as a fact, and a similar statement appears to have been made at a recent meeting in Birmingham by the hon. and learned Member for Birmingham, and no doubt the hon. Member believes it to be true, as I myself almost did when I first heard it, that Sir George Murray, in 1829, on his attention being directed to the case of slaves illegally imported into Mauritius, had sent orders to the colony for the release of the persons so circumstanced, accompanied by a direction, that the *onus* of proof should be thrown on the master, and not on the slave. It has been further stated, that succeeding Governments, including the members of the present Government, have not only done nothing in addition to what Sir George Murray is supposed to have done, but actually rescinded the orders of that right hon. Gentleman. Now, what are the real facts of the case? The very first directions issued subsequently to the Report of the Commissioners of Inquiry in 1828, on this subject, are contained in a Despatch to the Governor of the Mauritius from the Earl of Ripon, dated the 14th of January, 1831, being about seven or eight weeks after he took office as a member of Lord Grey's Government. Rumours of the supposed intention of the late Government had reached the Mauritius, and memorials were in consequence addressed to the Secretary of State, in answer to which Lord Ripon wrote the Despatch, in which he expressed the following sentiments:—

> His Majesty's Government must at once reject, as altogether inadmissible, all that reasoning in some of the memorials transmitted by you, which point to the conclusion, that negroes illegally imported are to be deemed the property of those who now hold them in slavery, and that every declaration of their freedom might be denounced as a violation of the rights of property. In no sense of the word, moral or legal, are these individuals the property of any man. They were consigned to slavery in direct contravention of the law, and their title to freedom is as absolute and undeniable as that of any white inhabitant of the King's dominions. It may be difficult, and in some cases impossible, to prove the claims to freedom which individual negroes may set up on the ground of illegal importation and slavery of themselves or their parents; but to argue that any persons who could establish their identity as having been illegally imported, are the property of those who may now happen to hold them in slavery, is to maintain that the Act abolishing the slave-trade is not the law of England, and that the distant dependencies of the Crown may set it at nought with impunity. However willing, therefore, his Majesty's Government may be to overlook the sort of menace of resistance which the language of some of the memorials implies, as emanating from excited feelings and real fears, it is my bounden duty to state to you explicitly, that any decision to which the Government may come in this matter, must be founded on the peremptory denial of a pretension so utterly untenable in itself, and so abhorrent from the universal feelings of the British nation. I make this declaration of principle, in order that no misunderstanding may exist upon a point which involves the whole essence of the question; and these negroes being thus indubitably free, every consideration of justice, humanity, and policy, requires that they should possess all reasonable facility in establishing their freedom;—I say all reasonable facility, because I am not insensible to the difficulties with which the adjustment of the question is surrounded, and because the object which his Majesty's Government has in view is the settlement of substantial claims, not the encouragement of an indiscriminate assertion of those which are unfounded. We cannot suffer a grievous wrong to exist without endeavouring to remove it; but we do not desire to effect our purpose of doing right to one class, by any process which may unnecessarily inflict real injury upon another.

On this subject, then, Lord Ripon expressed himself as fully, clearly, and distinctly as any hon. Member, however zealous in this cause, could possibly desire.

I shall now proceed to consider the charges brought by the hon. and learned Member against the present Government, and those recently concerned in the administration of the Colonial Department. It has been alleged, that from the constitution of the Courts, British interests are compromised, and allusion has been made to a memorial from certain merchants connected with the Mauritius; but that memorial could have no reference to the existing state of the Courts in that Colony, as it was received in the summer of last year, and changes have since that time been carried into effect. It is true there are two Courts—a Court of First Instance, and a Supreme Court, or Court of Appeal; and it has been thought desirable that the latter, which exercises a general control and superintendence over the administration of justice in that colony, should contain a preponderance of English Judges unconnected with any local interest. At the head of this Court is Mr. Wilson, a gentleman of great experience and of undoubted talent and integrity; and next to him is Mr. Villiers Surtees, who for a considerable time filled the office of Protector of Slaves in the West Indies with the greatest zeal and perseverance, and who was appointed to his present office by the Earl of Aberdeen. Against these gentlemen not the slightest imputation has been thrown out, and they are unquestionably competent so to administer the law as to secure justice being done to all classes in the colony. The hon. and learned Gentleman has said, that the Courts are entirely under the influence of a faction. I deny that there is evidence of this. To suppose, indeed, that Judges taken from the Colonial Bar can be entirely free from Colonial views, would be to suppose human nature different from what it actually is; but it was not from the hon. and learned Gentleman that I should have expected to have heard an objection made to the appointment of a Colonial Judge. [Mr. *Roebuck:* No! No!]—Then the hon. and learned Gentleman does not object to the appointment of a Colonial Judge. Does he object to the appointment of two English Judges in the Supreme Court? [Mr. *Roebuck:* No.]—Then I cannot understand what is the objection of the hon. Gentleman.—[Mr. *Roebuck:* I object to the Judges being slave proprietors.]—But there are no slaves now in the Mauritius. Slavery has been abolished, and the jurisdiction of cases between masters and their apprentices has been placed exclusively in the hands of special Magistrates, who cannot have even an interest in apprentice labour. I am therefore at a loss to know on what grounds the hon. and learned Gentleman maintains his objections. The evils of which he complains no longer exist—disaffection has been suppressed—all parties in Mauritius, with a very few exceptions, are now combining together for the good of the colony; and I have therefore a right to call on the House not to re-open those wounds which are now healed. But the hon. and learned Gentleman objects to the removal of Mr. Jeremie and Mr. Reddie, and calls on the House to inquire into the circumstances connected with it. The proofs on which it rests are these:—the despatch of Lord Ripon, which the hon. and learned Gentleman read to the House, conveying a heavy censure on Mr. Blackburne, late Chief Judge of the Supreme Court; and the evidence of Mr. Jeremie and Mr. Reddie contained, I presume, in a pamphlet by these gentlemen, circulated in the course of the last year. The hon. Gentleman has distinctly stated, that the censure conveyed in Lord Ripon's despatch is unretracted. I almost envy him the luxury of discovering that he has been mistaken in supposing that Mr. Blackburne does not, in fact, rest under the censure which he imagined still to attach to him; and I must, at the same time, regret that the hon. and learned Gentleman should have been instructed to stand up in this House and state that that censure had not been withdrawn, when it might have been ascertained by those who instructed him, that such was not the case. What were the circumstances under which Lord Ripon wrote that despatch? It was necessary that the criminal code in the Mauritius should be revised. This task was committed to the Judges of the Supreme Court, and the Procureur-general, according to instructions sent out for that purpose. After a time the revised code was sent home to the Colonial-office; but, from some cause or other, without one word of explanation, and without the attention of the Secretary of State being directed to any part of it, it was sent home in French, and it became necessary to collate it with the former code, in order to ascertain whether the alterations were in accordance with the instructions sent out. In comparing the new code with the former law, it appeared that there was an omission of the very enactments which related to certain treasonable offences, and by which omission the acts of certain parties in the island, which had been matter of serious complaint, were no longer subject to punishment. At that time it was the duty of Lord Ripon to vindicate the King's authority in the colony, and to put down, with a strong hand, the resistance which had been made to the execution of the laws respecting slavery; and when he discovered the omission in the new code of these provisions, expressly calculated to meet the existing exigency, he wrote the despatch, in which he imputed a want of good faith to the compilers of that code After a considerable time an explanation was received from the Mauritius, by which it appeared that the two principal articles, the omission of which had induced Lord Ripon to express himself severely (and as justly as severely, if the fact had been as it originally appeared to him to be), instead of being omitted altogether, had only been transferred from the general criminal law to the law on the press, and had all along been in force in the colony. I trust that, in discussing a question of this nature, involving the interest of a British colony, we shall abstain from all party and personal feelings, and I shall not, therefore, allude to the ill-timed observations made by the hon. and learned Member on the noble Lord opposite, imputing to that noble Lord that, although he knew that Lord Ripon had expressed this severe censure on the Chief Judge, he had, on succeeding Lord Ripon, allowed twelve months to elapse without taking any notice of the subject, and, at the end of that period, had removed Mr. Jeremie from the island. I think that my noble Friend took the only course which, under the circumstances, he could take. He had written to the governor for a full report on the state of the colony, and on receiving the explanations to which I have before referred, he at once submitted them to Lord Ripon, who then held another office in the Government; and Lord Ripon, with that promptitude which belongs to his character, immediately wrote a letter to the noble Lord, expressing his own altered opinion on the new state of facts, and authorising him to transmit that letter to the governor, to be communicated to Mr. Blackburne. A copy of that letter has been placed in my hands by Lord Ripon, with full permission to make such use of it, on the present occasion, as the ends of justice may require, and I cannot do better than read it to the House.

(Copy). 12th March, 1834.

"My dear Stanley,—I have not failed to give every attention to the recent despatches from the Mauritius, which contain the explanations given by Mr. Judge Blackburne and Mr. D'Epinay, of those circumstances connected with the formation of the new criminal code, which led to my despatch of last year upon the subject. I cannot hesitate to say that I rejoice to find that, as regards the most material part of the case, the explanation now given is certainly satisfactory, and removes altogether the inferences which, as the case presented itself to me, I could not avoid drawing. I allude more particularly to the omission of the two articles 102 and 217. It now appears that these two articles were not omitted, but merely transferred from the general criminal code to the law upon the subject of the press. I greatly regret that, under an erroneous impression on this point, I felt myself compelled to address the governor, in a despatch which certainly contained expressions which could not but be painful to the feelings of those to whom they applied. But it is not surprising that such an erroneous impression should have arisen in my mind. You are aware of the very meagre nature of the information transmitted by Sir C. Colville upon all subjects, and how constantly he omitted to call the attention of the Secretary of State to specific points of importance, in the numerous documents which were frequently transmitted *en masse*, without one word of information or comment from him.

"It was thus that, when the new code and the law upon the press were under review (not at the same moment, as far as I can recollect), the circumstance to which I have referred was never brought into notice; and when the only point which I was considering was the omission of those two important articles, I could not but be struck with astonishment at finding so remarkable an omission, coupled, as it was, in point of time with a state of things in the Mauritius, represented on all hands, officially and privately, as being "at the time," and having been long "previously," little short of actual rebellion against the King's authority. This it was which led to my despatch, and this is the main point upon which the explanation is unquestionably satisfactory. It is, therefore, quite unnecessary for me to advert to some minor points which are not so clearly explained. But I have been unwilling to withhold a prompt statement of my feelings upon this question; and I am the more anxious to express them on account of Mr. Blackburne. In early life I knew him very well, and I am to this day intimate with some of his most valued friends. I know him to be a man of considerable talent and of honourable character; and as I feel that my despatch must have been very distressing to him, I deem it to be my duty to state that that despatch would not have been written, had I the slightest reason to suppose that the facts of the case were such as now appear.

"Believe me, &c.

(Signed) "GODERICH."

After this withdrawal of the charge of bad faith, I am fully entitled to say, that one of the grounds on which the hon. and learned Member has rested his case has been completely removed.

With respect to Mr. Jeremie and Mr. Reddie, it is painful for me to advert to the circumstances which rendered their recal necessary, and which I must maintain were such as fully to justify any secretary of state in removing them from the offices which they held in the Mauritius; a removal, however, which I feel to be perfectly consistent with their subsequent employment elsewhere. I have received from each of those gentlemen an assurance, in the strongest terms, that they are no parties whatever to this question being brought before the House; and I believe that their friends in the House, with whom they have been in communication since their return to this country, claim no participation in bringing on the present Motion. The hon. Member for Bath alleges that peculiar weight is due to the evidence of Mr. Jeremie, as a witness to whom no objection can be made. Why? Because he had been a participator in all the matters at issue. I have always understood that the chief merit of a witness was his being wholly disinterested and uninfluenced by any bias which could induce him to give evidence in one direction or to suppress it in another. I believe Mr. Jeremie to be an honourable man, but I cannot consent to receive, as free from all objection, the evidence of a participator in the occurrences which took place in the Mauritius, against parties with whom he was at variance at the time, and against whom he has since brought forward charges somewhat uncalled for, even supposing them to be well founded. If this disqualification attaches to Mr. Jeremie, it attaches in an equal degree to Mr. Reddie.

Mr. Jeremie arrived the first time in the Mauritius in 1832. Owing to the extraordinary proceedings which then took place, and I regret to add, to the want of support from the local authorities, he was compelled to leave the colony. I have great pleasure in expressing my conviction (founded on an attentive perusal of all the documents on the subject) that Mr. Jeremie on that occasion not only displayed great firmness and presence of mind, but that his conduct was wholly unimpeachable. Notwithstanding the menaces with which he was assailed, he absolutely refused to quit the colony, till ordered by the Governor to do so. On his return to this country, he was sent back to the colony. A new Governor was appointed, and owing to the reports which reached this country of the disturbed state of the colony, and the organized resistance to lawful authority, precautions of no ordinary nature were taken to put down opposition. Sir W. Nicolay, on his arrival in January, 1833, found that these reports had been greatly exaggerated. A proper display of vigour and determination, and the issue of a proclamation prohibting armed associations, sufficed, without any additional force, effectually to put down the disturbances which had previously been suffered to attain so alarming a height. Different representations have indeed been made—I know not on what authority but this is the real state of the case, according to the official reports which I have carefully perused. On the 30th of April, 1833, Mr. Jeremie arrived the second time in Mauritius, and no opposition was offered to his landing, or to his entering on his duties. His former experience of the colonists could have left no favourable impression on his mind, and he appears not to have been able to adapt his conduct to the altered state of feeling and society, or to have conceived it possible that order and tranquillity had succeeded to anarchy and confusion.

The first circumstance brought under the notice of the Secretary of State as affecting his position, was the arrest of a person named Fournier, and certain other parties, for an assault on a sentry on guard. I do not mean to speak lightly of such an offence, but there does not appear to be the slightest ground for regarding it as an indication of any disaffection on the part of the inhabitants, or as in any degree connected with political feeling. They were however arrested, and ordered by Mr. Jeremie to be detained *au secret*, which deprived them of the means of communicating even with their counsel. It was objected by their advocate that Mr. Jeremie had exceeded his power in giving this order, and hence arose a correspondence between the Governor and Mr. Jeremie and Mr. Reddie, in which these gentlemen both used language towards the Governor inconsistent with that respect and deference which was undoubtedly due to him, and tending to weaken that very authority which it had been the great object of his Majesty's Government to vindicate and uphold. Mr. Reddie further proposed to suspend from his functions and practice the advocate, who, in the discharge of his duty to his clients, had raised a legal objection to Mr. Jeremie's conduct. At the request of Mr. Jeremie and Mr. Reddie, the voluminous correspondence relative to this case was transmitted to the noble Lord, then Secretary of State, in order that his decision might be obtained; and being thus called on to pronounce a judgment on the case submitted to him, my noble Friend wrote a despatch, dated the 18th of March, 1834, an extract of which I will read to the House:—

"Of the case itself (Fournier's) it is not worth while to speak as indicative of any systematic disaffection. The absurd attempt of some boys to disarm the guard is in itself deserving only of ridicule; the matter derives its only importance from the legal questions and serious dissensions which have resulted from it. I am not satisfied in this case that Mr. Jeremie's proceedings were strictly according to law: but without entering into this discussion, I am satisfied that there was nothing in them which proceeded, or could be suspected to proceed from corrupt or malicious motives; and that you therefore judged correctly in refusing to institute any proceedings against him on that account. I am further of opinion that this decision of your's derives additional value from being taken upon mature deliberation and examination of the facts of the case; and that had you at once rejected the petition, without inquiry into its merits, you would alone have exposed the Government to much misrepresentation, and have placed Mr, Jeremie himself in a very painful and obnoxious position.

"I wish I could here have closed my observations on this case; but the correspondence which you have transmitted to me, at the request of Mr. Jeremie himself, renders it necessary for me to express my opinion without reserve. I have already stated, that while I doubt the strict legality of some of Mr. Jeremie's proceedings, I find no ground for imputing to him improper motives, and that I concur, therefore, in the view which you have taken of his exculpation by his letter of the 17th of August. But I am bound also to express my strong sense of the impropriety of tone and language, as addressed to yourself through your Colonial Secretary, which pervades the whole of that, and I regret to add, of Mr. Jeremie's other communications. They are marked by a forgetfulness of your and his relative positions, and by a tone of acrimony which, whatever provocation he may have received, unfortunately prove him, notwithstanding his acknowledged abilities, firmness, and vigour, wholly unfit for the peculiarly delicate position in which circumstances have placed him. Of your communication, in answer to this most improper letter, I will only say that, observing the effect produced upon Mr. Jeremie's own cooler judgment, by what he truly calls 'your mild, calm, and friendly tone of explanation.' I cannot blame an excess of courtesy, which yet appears to me to have led you in correspondence with your inferior officers, to derogate in some degree from the authority with which you are invested. Observations, nearly similar, naturally occur upon the simultaneous correspondence between you and Mr. Reddie, both as regards yourself and your correspondent: it gives me great pain to find, that in Mr. Reddie, Mr. Jeremie has found a supporter and a coadjutor yet more intemperate and more injudicious than himself. Mr. Reddie has thought himself warranted in addressing to you two letters of the 17th and 18th of August, in the first of which he recommends to you ex-officio, the immediate suspension of the advocate who had advised proceedings on the part of his client against Mr. Jeremie; in the second, he offers, in the most unbecoming and disrespectful terms, his view of your duty as a governor, his strictures upon your conduct in very properly considering the two codes, (or, as Mr. Reddie calls them, 'the two compilations termed codes,') as valid, until his Majesty's pleasure should be made known, and his animadversions upon the Supreme Court, whose authority he was bound to respect; and he concludes by stating, that 'he shall transmit a copy of his letter, and of all the correspondence he has had with you, to the Secretary of State, in order that his Majesty's commands may be taken upon the position in which he finds himself placed.' The question being brought thus formally before me, I am compelled to come to a decision, which, from the testimony you bear to Mr. Reddie's talents, I announce with great regret, that his Majesty will take the earliest opportunity of dispensing with Mr. Reddie's further services in the Mauritius.

"It is with pain I add, that the vehemence of the tone and the intemperance of the suggestions of Mr. Jeremie on this subject, afford an additional ground for fearing—with every respect for his acknowledged talents—with every desire to support his fair pretensions—with every allowance for the great difficulties by which he has been surrounded—that he is not possessed of that temper and judgment which are so peculiarly necessary to render his services in the Mauritius beneficial to the public interests. The King's authority was vindicated by his restoration: he was received with the submission due to the Sovereign. I cannot help expressing a fear that, since his return, he has, in too many instances, suffered his feelings, as a man, to interfere with the deliberate exercise of his duty, as a servant of the Crown, and to seek for personal triumph, when the object was the restoration of the judicial and executive authority."

Shortly after this occurred the case of Mr. Brodelet and others. Information was given to Mr. Jeremie of a conversation of a treasonable nature, alleged to have taken place at a supper, after a ball, in the house of Mr. Keating, in 1832. On further investigation, other evidence was adduced against the parties; and, with the concurrence of the Executive Council, they were arrested in August, 1832, and committed to prison. In November the ordinary assize should have been held. The prisoners petitioned repeatedly to be brought to trial—the Judges were ready to proceed with it—the Governor applied to the Procureur-general to know when it would take place; but without any reason being assigned, Mr. Jeremie informed him it was impracticable to bring it on; and no assize was held, in consequence of Mr. Jeremie informing the Judges that no cases were ready for trial. In December, for the first time, Mr. Jeremie filed what is termed a recusation or challenge against Mr. Blackburne, the Chief Judge of the Supreme Court, on these grounds—the censure conveyed in Lord Ripon's despatch, and an allegation that he had an interest in property cultivated by slave labour. I think it has been alleged, that by the French law, Mr. Jeremie, as Procureur-general, had a right, and was in fact bound to make this objection. That he had the right is undoubted, but the discretion with which this right was exercised ought clearly to be watched over by the Government. In the case of ordinary individuals, a check is imposed on a vexatious or frivolous challenge. No check is imposed on the Procureur-general, but that which is exercised on him by the Government. With respect to the first objection, surely Mr. Jeremie, whose business it was to prosecute offenders, must have known that the omissions of which Lord Ripon had complained had not taken place, and that the articles on the omission of which he had so severely commented, were actually in force. What then can be thought of an objection founded on a censure, which, even had it been well-founded, had not induced the Secretary of State to remove the Judge, but which, in point of fact, had no real foundation? But the case did not rest here. The hon. and learned Gentleman has said, that the recusation was tried by a Court composed of the governor, the Colonial Secretary, and four or five other members, all of them slave-holders, except the governor. Now what was that Court? The tribunal constituted by law to try such recusation was the Executive Council. By the Royal Instructions this consists of the governor, the senior officer in command of the troops, the Colonial Secretary, and the Procureur-general. The latter could not sit in the present case,—there remained therefore only the governor, admitted not to be a slave-holder, Colonel Staveley, the senior military officer, with respect to whom it never was alleged that he was a slave-holder, and Mr. Dick, who possessed several domestic slaves. Now I call on the hon. Gentleman to name the four or five members of this Court who, he has stated, were all slave-holders. To Mr. Dick alone was the objection made, and the hon. Gentleman has read the terms of the Order in Council to shew that he was included in it; but there was not a word in it respecting members of the Executive Council, and the prohibition as to holding slaves was clearly inapplicable to the members of the Council. And what would have been the consequence had Mr. Jeremie's objection to Mr. Dick prevailed? These members were required for the transaction of business. Mr. Jeremie could not sit himself; and if Mr. Dick was disqualified, the challenge could not have been tried at all, and the prisoners must have been sent to England to be tried on a charge of treason committed a year and a half before, at a distance from their friends, and the numerous witnesses who were afterwards called for their defence; under these circumstances the Governor appears to me to have acted most properly in refusing to entertain the objection against Mr. Dick. The Executive Council examined the other ground on which the recusation was filed. The hon. Gentleman states his opinion that the decision to which they came was wrong. I have not embarrassed myself with a consideration of this question, because I find the point to have been decided by the tribunal legally constituted for this purpose, and I am confident that this House will not delegate to a Committee the duty of trying over again a point which has already received a solemn decision. The Council were of opinion, that no ground whatever existed for the charge that Mr. Blackburne retained any interest in the property in question. It was a legal point which the Executive Council might not be the most competent tribunal to decide; but it was the tribunal appointed by law for the purpose, and I much doubt whether a Committee of this House would be qualified to form a more correct opinion on it. What end too is to be attained by the inquiry? If the judgment should be reversed, does the hon. Gentleman propose that the parties should be again committed to prison, and again tried on a capital charge for a political offence committed in 1832? After they had been more than seven months in prison the trial took place, and upon a full and attentive investigation of the case, the prisoners were acquitted. This led Mr. Jeremie to accuse the Court of improper motives, although he might have felt that where much conflicting evidence was adduced, the Judges ought to have acted in the spirit of those directions which are continually addressed by our Judges to an English Jury, to give the prisoner the benefit of any doubt, and not to convict, especially on a capital charge, unless on the clearest evidence. A report of the earlier part of these proceedings having reached my noble Friend before any official account of them was received, he felt it his duty at once to give provisional instructions to Sir W. Nicolay as to the course which he should pursue with regard to Mr. Jeremie, and for that purpose addressed to him a despatch of the 13th of May, 1833, in which he stated, that the course pursued by Mr. Jeremie had placed that gentleman himself upon his trial; and instructed the governor, in the event of certain anticipated results actually taking place,—

> " to signify to Mr. Jeremie, that, with whatever regret his Majesty might regard the loss of so much ability and zeal as that gentleman undoubtedly possessed, he deemed even those qualities to be more than counterbalanced by the extreme want of judgment and temper which he (Mr. Jeremie) had exhibited, and that his Majesty was therefore compelled to relieve him from his present official duties."

Now, that would have been the consequence had another line of conduct been pursued. Supposing that similar proceedings had taken place in another colony, and that the noble Lord had approved the conduct of his Attorney-General, had commended his firmness and vigour, and joined in his condemnation of the motives of the Court which acquitted the prisoners, would not the hon. and learned Gentleman himself have been the first, and with justice, to have denounced the noble Lord as a friend of arbitrary rule, and as having given his sanction to a gross violation of the rights and liberties of those placed under his control? He took that course which afforded the best and only security against the recurrence of proceedings which were open to the gravest censure. In accordance with the directions given by the noble Lord, Sir W. Nicolay removed Mr. Jeremie from office, and acting in the spirit of his instruction, he provisionally appointed Mr. Prosper D'Epinay as his successor, stating, as the grounds of the appointment, that he was the best qualified, and indeed the only qualified person in the colony to fill the office. My right hon. Friend, the Chancellor of the Exchequer, who succeeded the noble Lord, afterwards appointed Mr. Prosper D'Epinay to the office, anxious, as he expressed himself, to—

> " manifest in this new appointment the renewed confidence of his Majesty, in the loyalty and attachment of his subjects of the Mauritius, and to forget any temporary errors into which they had been led by temporary causes."

My right hon. Friend added,—

> "That in the selection of an individual for the Bar of the Colony, to be the legal adviser of the governor, and a member of the Executive Council, his Majesty will dispel any ill-founded distrust of their intentions, which may be felt by the inhabitants of the colony in consequence of the events of 1832."

The hon. and learned Gentleman does not object to him as a colonist, and if a colonist was to be appointed, Mr. P. D'Epinay had claims superior to those of any other. He was at the head of his profession—he had been offered a judgeship by Lord Ripon—he had provisionally filled the office of Procureur-general, and although he had not kept himself altogether free from a participation in the criminal proceedings of 1832, yet the part which he had taken in them was extremely slight. The House ought to know that there are two Mr. D'Epinay's—Mr. Adrian D'Epinay, who took a prominent part in those proceedings, and who holds no office whatever under his Majesty's Government; and Mr. Prosper D'Epinay, the present Procureur-general: and there is evidence to prove that the latter does not blindly follow or lend himself to the views of the former. But the hon. and learned Gentleman says, that his objection is to Mr. P. D'Epinay as a slave-holder. I repeat that he is not now a slave-holder, and the exclusive jurisdiction in cases, of offences committed by apprentices, is placed in the hands of the special Magistrates. Now what is the charge against the present Government? That they have not displaced Mr. D'Epinay. No specific offence has been proved against him; his conduct, as it appears from official documents, has afforded no ground of complaint. It is stated, that he has instituted proceedings of an improper nature against the press. If such is the case, it is most reprehensible; but it must be borne in mind that Mr. Jeremie is commended by the gentlemen who have addressed statements to the Government on his behalf, as having rendered the press more reserved by his prosecution of one of the colonial papers. The fault, therefore, appears to have been on both sides. Every charge, however, which has been made against Mr. D'Epinay has been sent to the governor for his report; and in order to secure impartiality in the exercise of the powers intrusted to the subordinate executive officers in the colony, instructions will be sent from Lord Glenelg, by the first ship which leaves this country for the Mauritius, authorizing the governor to require from the Procureur-general, and every executive officer of his government, a prompt and cordial co-operation in that policy which has been enjoined on himself by the Government, and empowering him at once to suspend any officer, whoever he may be, who refuses to conform to that policy in the discharge of his own immediate duties. I trust that this will impose an effectual check on the abuse of power in any hands to party or private purposes.

The hon. and learned Gentleman has referred to my hon. Friends, the Members for Weymouth and the Tower Hamlets, as possessing information on other points connected with the Mauritius, I understood him to refer to certain ordinances stated to have been proposed to the Council, and affecting the labouring population of the colony, and to some proceedings alleged to have taken place against Mr. Mylius. On neither of these subjects does the Government possess any official information; but inquiry has been instituted on both, and the strongest opinion expressed by Lord Glenelg, against the regulations said to be comprised in the ordinances in question, and which I can hardly think have been adopted by the Council. On this, however, as on other points relating to the welfare of the coloured inhabitants, and the apprenticed labourers, the measures taken by the Government are such as to place them in full possession of the rights to which they are entitled; and if the House places confidence in the course pursued by the Government with this view, I cannot perceive what advantage is likely to result from the investigation which the hon. and learned Member proposes to institute.

There is, however, one charge brought by the hon. Member against the governor, which I must say is wholly unfounded—I allude to what he has thought fit to term the spiriting away of Mr. Jeremie, the witness on whose testimony he principally relied in bringing this case before the House. Now what is the real fact? Application was made to Lord Glenelg in the course of last Session, to send back Mr. Jeremie to the Mauritius. This he refused to do. He thought on full consideration that he could not, consistently with the interests of the colony, and even of those gentlemen themselves, reverse the decision of his predecessor, and from which the Earl of Aberdeen had evidently no intention of departing. From a paper left in the office by that noble Lord, it appeared that another gentleman had been selected by him to fill Mr. Reddie's place, and there is no ground to presume that he intended to restore Mr. Jeremie. Lord Glenelg, however, was not unwilling to employ them in other parts of the globe, at a distance from those exciting causes to which, in a great measure, he attributed their former error. Notice of a Motion on this subject having been given last Session, Lord Glenelg would not appoint Mr. Jeremie to any situation until that Motion had been disposed of, that he might not even be suspected of a desire to remove Mr. Jeremie from this country, pending such a Motion. He was repeatedly importuned by Mr. Jeremie's Parliamentary friends to give him some appointment, but he abstained from doing so, till my hon. Friend, the Member for Liskeard, had distinctly abandoned his Motion, from a conviction, as he himself said, that Government were doing justice to the parties, and it was not until after the last Session closed, that Mr. Jeremie was appointed to Ceylon. He then applied for leave to remain in this country, in consequence of an action pending in the Court of King's Bench, and Lord Glenelg allowed him to delay his departure till the commencement of the present year. No intimation whatever was given of an intention to bring the subject before the House this Session till the 8th of January last, when an application was received from Mr. Hitie for the detention of Mr. Jeremie, and the hon. Member, on the same day or the day following, placed a letter in my hands, stating he should bring forward a motion on the subject of the Mauritius, and that he could not suppose Lord Glenelg would send away his principal witness. Mr. Jeremie had then incurred all the expenses of his voyage. He had informed us that his baggage was on board the ship which was to sail on the 15th of January, that his family were waiting at Portsmouth to embark, and that he was on the point of sailing. Under these circumstances Lord Glenelg expressed his willingness to grant Mr. Jeremie further leave, provided the parties anxious to detain him could obtain his own consent. That consent being withheld except on the terms of his being indemnified against the expense he would be put to, and the Government having no funds out of which they could indemnify him, and not thinking his detention necessary, Mr. Hitie undertook to indemnify him to the extent of 1,000*l.*, which was to be placed in the hands of the cashier of the Colonial Department, and this sum was afterwards paid to Mr. Jeremie, in pursuance of a written order to that effect by Mr. Hitie himself, and Mr. Jeremie was allowed to remain here till after this Motion had been disposed of.

There are some other topics connected with this case to which, after the inconvenient length at which I have been compelled to trespass on the time and patience of the House, I will not advert, further than to state, that with respect to the measures taken by the Government as to the persons illegally imported into the Mauritius as slaves, and the state of the registry in that colony at the time of the Slave Abolition Act coming into operation, Parliament has a right to information, which shall not be withheld. The Government has no object whatever in withholding such information, and I am willing to pledge myself that such information shall be given, by the production of papers, or in any way most satisfactory to the House, before the compensation money is paid: not that any delay need be incurred in the payment of the money justly due, on this account, for as some months must elapse before any payment can be made, ample time will be afforded for communicating such information. The grounds, however, on which the hon. and learned Member has rested his Motion for inquiry, appears to me insufficient to justify the appointment of a Committee, and I trust, therefore, that the House will not accede to the present Motion.

Dr. *Lushington* said, that his entering into the present discussion was not of his own seeking; but having been called on by the hon. and learned Gentleman to bear testimony to the truth of some statements the hon. Member had put forward in his speech, he felt himself bound in justice to say, that some of them were borne out by the facts. Nor did he see that those facts had been contradicted by his hon. Friend who had just sat down. The first and the great question for the House to consider was, whether the administration of justice in the Mauritius was likely to be benefited by the appointment of the Committee now moved for; and he really must say, without wishing to trouble the House by entering into a detail of the circumstances of the case, that proof of the most positive kind had been afforded that, since the year 1810, there had been a series of continual violations of the law of the most flagrant description, all or the greater part of which had been allowed to go unpunished, and almost unnoticed. It was sufficient, perhaps, to remind the House, that they had been told by a Chief Justice of the island himself, that he believed not a Jury could be found to give an impartial decision on certain cases brought before them. If these were matters which had taken place many years back—if the occurrence of them had not within a comparatively short period disgraced the dignity of justice in the colony, he (Dr. Lushington) would be one of the first to call for their being consigned to an everlasting oblivion; but when the fact was, that during the last four years offences had become multiplied, and there was still no energetic intervention of the civil authority, when the fact was, that we were taunted by France for having been the first to allow the violation of those stipulations with respect to slaves which we had been the first to call for and insist upon—when facts like these were forced on his attention, he could not forbear from admitting the necessity for their being inquired into. Had not his hon.

Friend admitted to the House that treason had for a long time been triumphant in the Mauritius—that the standard of rebellion had been raised there against the executive authority—that disgraceful manifestoes had been published, in which the wretches who penned them declared that the time was then come for assassination, whether by poison, the sword, or by fire? What punishment had been hurled against these offenders? against those men who had joined in a conspiracy against the Crown of England? What efforts were made to secure the tranquillity of the colony? When Mr. Jeremie was sent out armed with a legal authority he was suffered to land; but his life was not safe for one hour. What did the then governor do? Why, he bowed to the power of the traitors, and sent Mr. Jeremie home; but when the Government returned Mr. Jeremie with a renewed authority, the same offences were repeated, and there was again the same open defiance of justice. He felt bound to say a few words in defence of Mr. Jeremie. That gentleman had had a task of the utmost difficulty to perform, in which he was not duly seconded by the Government of the colony, and the House was bound to see that injustice was not dealt out to him. One charge against Mr. Jeremie arose out of a circumstance which occurred in May, 1832. Some men were taken up and convicted for assaulting the guard, and they were sentenced to secret confinement; but during the first hour of their confinement Mr. Jeremie applied to the governor to know what punishment should ultimately be inflicted on them, at the same time recommending that they should not suffer secret confinement. The governor, however, decided differently, and what was the consequence? Why, Mr. Jeremie was threatened with a prosecution as a capital offender for having, in the performance of his duty, brought these offenders to trial. For three months was this threat held over the head of Mr. Jeremie, because, during that period, the governor did not come to a decision. Why, this circumstance alone was sufficient to have excited the irritability of any man, and it was not surprising if Mr. Jeremie had shown something of that which was complained of. Another charge against Mr. Jeremie was, that he had delayed till January the prosecution of certain prisoners who had been taken up on the 24th of August preceding; but the fact was, that in the common course of proceeding, the trials would not have come on until that time. Then there was another charge against Mr. Jeremie, that he had instituted a legal proceeding against Mr. Justice Blackburne, as being unfit to sit as a Judge upon the trial of certain prisoners, he having been charged in a despatch of Lord Ripon's with a wilful perversion of a law which he was appointed to execute. It was said that Mr. Jeremie had in this instance exceeded his functions, but he (Dr. Lushington) put it to the House whether Lord Ripon would have made such a charge as that (accompanied as it was by an intimation that the reform of the judicial affairs of the colony was in contemplation) had he not intended to follow it up, and whether in the meantime a Judge, lying under such an imputation, should have been allowed to exercise his judicial functions? It was true that an explanation had been afforded, but he (Dr. Lushington) felt it very doubtful whether that explanation would be held to be satisfactory. He knew that Mr. Jeremie, who was fully acquainted with the laws of the colony, was still entirely of that opinion, and felt not merely that he had had a right to do as he did, but that it was his bounden duty. The second charge against Mr. Jeremie was, that he had charged Mr. Justice Blackburne with being interested in slavery. He differed from his hon. Friend the Member for Devonport, on that point also. He thought that it was certainly a subject open to the discussion of the Legislature, and that the fact of its having been decided on by a legal tribunal, was not decisive against those who wished to have that decision reviewed. But whether that were the case or not, Mr. Jeremie was equally absolved from blame, for he had acted throughout in obedience to the laws. He (Dr. Lushington) maintained, that treason in abundance had been committed. An attempt was made to intercept the march of a division of the 82d regiment, to defeat which it required extraordinary ability and firmness on the part of the commander, Colonel Coldney, who saved the division. It was believed that the offender was a person in the employment of the Government; but, whoever committed the offence, the public were equally entitled to be satisfied by a full inquiry into the circumstances. He thought it his duty to make these few observations, and he could not help adding, that no public functionary who had been exposed to the intimidation which Mr. Jeremie had to encounter, had ever displayed more firmness and courage than that Gentleman had evinced. He had discharged his duty zealously and without compromise. But were there not other circumstances which called for investigation? Did it not happen, that on one occasion, sixty-five prisoners were kept in gaol, without any one knowing why or wherefore, and on another were not twenty-five persons found incarcerated without the vestige of a charge against them? Surely these were matters that ought not to be passed over without inquiry. It was said, that the change which had taken place in the administration of justice in the island of Mauritius had removed the evils complained of; but that was a point on which, he must say, he entertained considerable doubt. The matter, however, was of grave importance, not only to the inhabitants of the Mauritius, but to the commercial part of this country which carried on trade with that island. It had been represented by several of the most respectable merchants in the city of London, that they were afraid to enter into the trade with the Mauritius, owing to the total absence of anything like justice in that colony. About two months ago he had received a letter from Mr. Gilchrist, in which it was stated, that a prosecution had been instituted against him, and for what did the House think? Why, because he had refused to give certain parties certificates to entitle them to a participation in the Slave Compensation Fund. The moment he got that letter, he forwarded it to his noble Friend (Lord Glenelg) at the Colonial Office, and surely it was at least the duty of the authorities in that department to take some pains to ascertain whether the statements contained in it were true or false. It could not be denied that it was highly important that the Government at home should know what was passing in the Mauritius with respect to the slave trade; and as that was the only document he had seen on the subject, he had felt it to be his duty to transmit it to the Colonial Office. When there were 16,000 or 18,000 slaves entitled to their freedom, surely the Government at home ought to know something of what the Courts were doing in regard to slave registration. Were it proper to allow certificates to be extorted from public functionaries by such means? And what, he asked, could be the notion which those who instituted prosecutions for such a purpose must have formed of the character of the judges towards whom such intimidation was allowed to be adopted? From all the information he possessed in reference to this colony, he was satisfied that an alteration in the mode of administering justice in the Mauritius was absolutely necessary. He considered the judicial system highly defective; and certainly he could not think that M. D'Epinay was a fit and proper person to fill the important office of Attorney-General, if he was the same person who had signed the manifesto before alluded to in the course of the debate. As to the detention of Mr. Jeremie, he had taken the liberty of suggesting that course, because Mr. Jeremie, having ordered the registrations, was the only person who could afford proper information upon the subject. It should be borne in mind that the whole island set the Government at defiance, and that no assistance whatever was to be obtained from this country. Unless the slave registrations were properly attended to, it was clear that the compensations could not be paid; and all he need add was, that it behoved those who had supported the West-India slave compensation measure to see, before the money was handed over, that the law had not been violated. He might say further, that there never had been a more lamentable or wholesale violation of law than the proceedings in this colony during the last fifteen months exhibited. Only about 400 slaves had been declared entitled to their freedom, while 25,000 or 26,000 were, contrary to law, actually continued in a state of bondage. Was such a state of things to be permitted, or ought not, he begged leave to ask, the whole onus of proving their rights to fall upon the slave-owners who claimed possession of these men? His hon. Friend (Sir George Grey), believed that Mr. Wilson and Mr. Simmons would set all these matters right; but he was sorry to say, that he was unable to participate in any such hope. He feared that the consequence of tolerating such proceedings would be, to give a victory to those who had set themselves in opposition to the Government of Great Britain, and to render the condition of a large class of the population of the Mauritius not only miserable and degraded, but utterly hopeless, by denying them that justice to which the law entitled them. This, he asserted, would be the result. The free people of colour were loud in their complaints, and yet they were told that investigation ought to be refused, although it must be known that such a course would drive them into absolute despair. It was said, that Mr. Wilson and Mr. Simmons had full power to administer justice, not only impartially, but firmly; but he believed that nothing except a full investigation of all that had taken place could ensure the prosperity of either the island, or that of the British merchants who were connected with it by trade. All he desired was, that the truth should be ascertained, and strict justice done to all parties.

Sir *George Grey*, in explanation, said, that although the Colonial Office had not acted on the information sent to that department by the hon. and learned Gentleman, because it was derived from a private source, they had nevertheless used it as a means for the purpose of inquiry.

Mr. *Charles Buller* said, the hon. Secretary promised that the abuses of which complaint had been made should not continue; but he never knew a case in which similar promises were not made when a Committee of Inquiry was asked for and refused. They wanted a Committee to inquire, not into what was about to happen, but what had really occurred. The only charge against Mr. Jeremie was want of temper; and in his opinion much allowance ought to be made for that Gentleman, considering the peculiar circumstances in which he was placed. Mr. Justice Blackburne and other persons, against whom charges were made in Earl Ripon's dispatch amounting to treason, were allowed to remain a-year and a-half without further proceedings; but Mr. Reddie, because he wrote an intemperate letter to the Governor, was immediately dismissed. The Government was not well informed as to what was passing in the Mauritius; he thought it very objectionable that the hon. Member for the Tower Hamlets should receive information two or three weeks before the right hon. Secretary of what had transpired in that colony. The ground of complaint was not only the removal of honest and good Magistrates, but that they had been replaced by others of a different character.

Mr. *Borthwick* hoped, owing to the peculiar situation in which he stood, that the House would allow him to state the reason upon which the vote he should give, if the Motion of the hon. and learned Member for Bath were pressed to a division, was founded. If the hon. and learned Member for Bath had sought inquiry on the broad principle that this country had a right to know that those who claimed compensation for slaves were duly and legally possessed of them, he should have voted with him, widely as he differed from him on other subjects; but as that was not the case he must vote against him. It was perfectly unfounded to say, that that House was disinclined to give attention to the affairs of the colonies. The case had not been brought forward on its broad merits, and therefore it was, and because of no other reason, that an inquiry such as the hon. and learned Member for Bath proposed could not be granted without lowering the character of the British Parliament. He certainly thought that, after the large sum of money they had been called on to pay for the emancipation of the slaves, the people of England had a right to know that slaves were legally possessed. On the other hand, he did not think that a national question should be mixed up with paltry details of individual concernment. He had heard nothing to alter his original intention to vote against the Motion, for he saw no reason why they should enter into the investigation of the quarrels of individuals upon the pleas that they were connected with great national interests.

Mr. *Fowell Buxton* felt much gratification in supporting the present Motion. His hon. Friend had been charged with having spirited away Mr. Jeremie, but those who made that charge did not understand the Motion. With respect to some of these transactions, he felt bound to say that nothing could be more fair, more kind, or more honourable than the conduct of his Majesty's Government. Agreeing with his hon. Friend on some points he differed with him on others. If the animosities at present existing were to be allayed by any proceedings on their part, those animosities could only be allayed, and tranquillity could only be established, by the enforcement of justice. This would most effectually be done by an investigation on the part of the House into all these transactions. He had no disposition to enter then into any discussion on the subject of the slave trade, He had on former occasions stated that the slave trade continued to be carried on in the colonies for a number of years. On this subject there could be no better authority than General Hall, who had stated, that it was impossible for a man to live any time in those colonies without seeing this traffic carried on before his eyes. Yet, notwithstanding the frequency and notoriety of these occurrences, not one of the miscreants concerned in them had ever been brought to justice. Not a single conviction had ever taken place. No Court would convict, no legal authority would recommend a conviction, and no public functionary would sanction the man who had the temerity to interfere with the favourite traffic of the island. On one occasion an individual was seized under circumstances that afforded the most undoubted evidence of his guilt. That individual was placed in prison, but in a few days he was seen walking at large in the public market place. No one not resident there had paid more attention to the state of the Mauritius, or had better information of its condition, than he had; and he declared that he hardly ever knew an official man there who had not countenanced the slave trade; and though the Government had been well informed of all this yet those persons had never been censured by the authorities at home for this part of their conduct. He never knew any man who had been so fearless as to attempt to uphold the laws against the slave trade who had not been ruined by the attempt. He would not at that late hour trespass on their time by mentioning the number of instances within his own knowledge in proof of this. He could not, however, avoid alluding to the case of General Hall. There was no more admirable Officer, nor any man of higher character, than that General; yet by attempting to put down the slave trade he excited the hatred of the party there, and he was recalled almost in disgrace. There was the case of an Officer named Wyon, who seized a well-known dealer in slaves, and placed him in prison. The result was, that that Officer was ruined. He had made the case of Mr. Wyon known to the Government, and had made application on his behalf, but could never obtain any redress. There was the case of Mr. Mylius, and other similar cases. They had been told to clear their minds from former recollections, and that justice would be done in future. He did not think, however, from what they already knew, that it would be easy for them to come to that flattering conclusion. He wished to have the whole of the orders to the Commissioners before the House, for he knew that there were those who would endeavour to revive the slave trade, and reduce the apprentices to their former condition. In the case of Mr. Mylius, that Gentleman knew that several slave-owners registered falsely, and he refused certificates, What was the consequence? A representation was made, and he was compelled by order of the Government to give the certificates, every one of which he knew contained a false proposition. The next subject to which he would allude was the Special Commission. They were told that perfect justice would be established; they were told that the Special Commission was composed totally of impartial persons. Who were those impartial persons? M. Prosper D'Epinay, who was himself a slave-owner, and five or six planters. He was confident that no hope of justice would be entertained under such circumstances. And expecting very beneficial results from the House consenting to the Motion for the appointment of a Committee, he should vote for the Motion.

Mr. *Roebuck*, after the discussion that had taken place, believed, that it would be unreasonable on his part to trespass on the attention of the House for more than a few minutes. He had stated, fully and deliberately, the reasons that existed for this inquiry. He had demanded this inquiry, above all, upon the ground, that in the public mind in the colonies an impression existed that justice was not done. Nothing that had been said had in the least shaken the grounds he had advanced. The right hon. Baronet might have cavilled at some of the charges, but he could not deny that even the great mass of the white population of that colony looked upon the administration of justice in it with doubt, hesitation, and dread. He called for this inquiry on the part of a large body of the colonists, who demanded that it should take place, because they felt assured that the Government did not know the extent of the evils of which they complained, and they, therefore, claimed a right to lay the whole extent of their grievances before the Government, in order that their claims for redress might be fully understood, and that redress fully afforded them. On that broad ground he called upon the House to agree to his Motion.

The House divided: Ayes 69; Noes 227. —Majority 158.

List of the Ayes.

Aglionby, H. A.
Alston, R.
Attwood, T.
Baldwin, Dr.
Balfour, T.
Bowring, Dr.
Brady, D. C.
Brotherton, J.
Buckingham, J. S.
Bulwer, E. L.
Buxton, T. F.
Chalmers, P.
Chichester, J. P. B.
Chisholme, N. W.
Collier, J.
Crawford, W. S.
Duncombe, T. S.
Ewart, W.
Fielden, J.
Gillon, W. T.
Finn, W. F.
Fitzsimon, C.
Grote, G.
Gully, J.
Hawes, B.
Hawkins, J. H.
Hoskins, K.
Hume, J.
Jephson, C. D.
Johnston, A.
Kemp, D. R.
Leader, J. T.
Lister, E. C.
Lushington, Dr.
Lushington, C.
M'Taggart, J.
Maher, J.
Molesworth, Sir W.
Morrison, J.
Mullins, F. W.
O'Brien, W. S.
O'Connell, J.
O'Connell, D.
O'Connell, M.
O'Connell, Maurice
O'Connell, M. J.
Oswald, J.
Pattison, J.
Pease, J.
Phillips, M.
Potter, R.
Poulter, J. S.
Rundle, J.
Ruthven, E. S.
Sheldon, E. R. C.
Scholefield, J.
Strutt, E.
Thornley, T.
Thompson, T. P.
Thompson, W.
Tulk, C. A.
Wakley, T.
Wallace, R.
Warburton, H.
Wilks, J.
Williams, W. A.
Woulfe, S.
Wyse, T.
Young, G. F.

TELLERS.

Buller, C.
Roebuck, J. A.

Poor Law (Ireland).] Mr. *Poulett Scrope* rose to move for leave to introduce a Bill for the relief and employment of the poor of Ireland. He did not intend to go into the general question. He was happy to perceive the almost unanimous opinion that seemed to prevail as to the necessity of the introduction of some Poor Law for Ireland. He was gratified that an authorised inquiry into the condition of the poor of that country had taken place. He had never doubted what the result of such an inquiry would be. Statements of the most heart-rending character, as to the distress that prevailed amongst the poorer classes in Ireland, were contained in the Report of the Commissioners which had been laid upon the Table of the House. He would very briefly state the heads of the Measure he wished to introduce. He did not wish to interfere with any plan that the Government might intend to bring forward. He merely wished to offer this measure as a suggestion on the subject, and in aid of the intentions of the Government, and in the hope that some of its provisions might be thought worthy to be embodied in their plan. His object was, to introduce into Ireland a provision similar to that of the 43rd of Elizabeth. He was also desirous of introducing the principle of centralization, and he wished that the local machinery should be superintended by a central Board. He proposed the establishment of a central Board to meet in Dublin, with power to regulate the union of parishes, to establish the union of particular districts, the poor to be relieved by a rate on property in each particular union. He would propose that settlement and removal should be regulated similarly to the amended Poor Law of 1833. He would propose that guardians of the poor should be appointed, that some means should be provided either for assisting emigration or giving employment to the able-bodied poor, to be administered under the control of the Central Board of Commissioners, in the same manner as was provided by the amended Poor Law Act of 1833. He merely asked the permission of the House to introduce the same Bill as he had brought forward in the last Session of Parliament. He wished, in conclusion, to express a hope that some practical measure on this important subject would speedily be brought forward by the Government; and he begged to ask the noble Lord whether the Government expected to be in possession of the final Report of the Commissioners in sufficient time to enable them to introduce a Bill in the course of the present Session.

Viscount *Morpeth* was understood to say, that he had no objection to the Motion of his hon. Friend, and he thought, as there were so many Bills on this subject, it would be well that the House should have the opportunity of considering them. In reply to the question of his hon. Friend he was happy to assure him that the Government were in daily expectation of receiving the final Report of the Poor Law Commissioners, and they hoped to be able to offer to the House a practical measure on this subject in the course of the present Session.

Mr. *O'Connell* was exceedingly glad to hear that expression of the noble Lord.

With respect to the measure proposed by the hon. Member, he considered it would be utterly impossible to provide employment for the people at the public expense. If individual capital could not be employed with sufficient interest for that purpose, it was impossible to think that the public should pay the wages of the labourer. The difficulty with regard to the 43rd of Elizabeth was, that it provided for the support of the able-bodied. He would respectfully suggest to the hon. Member to separate the two branches of the proposed measure. That for the relief of the poor and destitute, which was the important part of the measure, from that which provided for the employment of the able-bodied, and which he considered to be perfectly visionary.

Motion agreed to.

ASSESSED TAXES.] Mr. *Hume* felt anxious to draw the attention of the House to the state of the laws respecting the Assessed Taxes. The number of surcharges was quite incredible at the present moment. As there were now fifty-two Acts relating to the assessed taxes, it was the duty of Government to consolidate them, in order that every individual, by knowing what the law was, might know at once what he was bound to do, and what he was bound to pay. The litigation produced by these numerous Acts was very great and most vexatious, as it generally cost ten times the amount in legal expenses of the sum disputed. He contended that some means should be taken to lessen the annoyance experienced by individuals, and that an end should be put to the practice of paying the collectors out of the surcharges which they levied upon ignorant individuals. There was a necessity that the law on this subject should be clearly determined and ascertained. Its Amendment also was loudly called for. The hon. Member concluded by moving for a return of surcharges made for assessed taxes of each class, the number affirmed, and the number discharged, and also for the dates and number of Acts of Parliament in force for the levying of assessed taxes.

The *Chancellor of the Exchequer* admitted that the state of the law with regard to the subject was very defective, and open to serious objections. He felt it his duty to direct his attention towards it, and had given notice of a measure for the consolidation of the taxes, which, if he could carry it through, would, he thought, be sufficient for the present Session. If those who were anxious for the consolidation wished to render the Government assistance on the subject, the best way to proceed would be to abstain from proposing various measures upon the subject. Of course, when the plan which Ministers had in view was laid before the House, hon. Members would be at liberty to make such objections as they should deem proper. The object, however, which Government proposed was, to reduce the laws upon this subject to one plain and intelligible statute. With regard to surcharges, it must readily be admitted that they were open to much abuse, and held out too great an inducement to abuse; but he was happy to say that by a minute of the Treasury, made before any notice was given upon the subject, a useful alteration had been introduced, it being the opinion of Government that the incomes of the officers engaged in the collections ought to be derived from their salaries, and not from surcharges.

The Returns were ordered.

THE CARLOW ELECTION.] Mr. *Charles Buller* rose to present a Petition from Mr. Vigors which contained statements relative to the allegations in the petitions from Bath and Carlow, which complained of that gentleman having acted in illegal concert with Mr. O'Connell as regarded certain transactions connected with the late contested election for the county of Carlow. The petition prayed for the fullest inquiry into every circumstance connected with that transaction. As the petition had been put into his (Mr. Buller's) hand only at six o'clock that evening, and as it inculpated the landlords of Carlow, and also an hon. Member of that House, he should not enter into particulars; and as it related to a question which would come under the consideration of the House to-morrow, he should content himself by moving that the petition be printed, and put into circulation amongst hon. Members. It certainly would not be proper to make statements calculated to prejudice individuals until such time as those individuals should be prepared with answers. He should, therefore, content himself with briefly stating the facts. [The hon. Member proceeded to read an outline of the petition, which, on account of the interest attached to it, we subjoin in full.] He had now only to add, that it was his intention to move hereafter that this petition should be taken into consideration whenever the inquiry into the other petitions commenced; and as hon. Members on the other side were calling for inquiry into one set of practices, interfering as they said with the purity and freedom of election, he could not believe that they would so far show the hollowness of their professions as to make an inquiry into the acts of their opponents, and skulk from an inquiry into their own conduct. He concluded by moving that the petition be read. It was read as follows:—

"*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled—*

"The humble petition of Nicholas Aylward Vigors, of Chester-terrace, Regent's-park, in the county of Middlesex, and of Old Leighlin, in the county of Carlow—

"Sheweth—That your petitioner is informed that petitions have been presented to your honourable House by certain Electors of the county of Carlow, and by certain Inhabitants of Bath, complaining of an alleged illegal, unconstitutional, and corrupt conduct of your Petitioner, in concert with Daniel O'Connell, esq. (a Member of your honourable House), and Alexander Raphael, and other individuals, and praying that your honourable House will be pleased to inquire strictly into the circumstances thereof, and to bring to punishment all persons whom your honourable House may, on inquiry, deem guilty of illegal or unconstitutional acts.

"That your petitioner has read the copies of such petitions in the printed Votes of your honourable House.

"That your petitioner respectfully denies the truth of the charges and imputations conveyed in these petitions, alleging illegal and unconstitutional conduct, both as respects himself and the said Daniel O'Connell and the Independent Electors of the county of Carlow.

"That the money transactions alluded to in the said petitions were, as your petitioner avers, and is advised, strictly legal, constitutional, and honourable; that the great majority of your honourable House is accustomed to make similar money arrangements in respect to their seats in the Commons' House of Parliament.

"That the said Daniel O'Connell, esq., at the request of Alexander Raphael, and with the consent of your petitioner, was the individual with whom the monies referred to were lodged by mutual consent; that the said Daniel O'Connell duly and honourably accounted for such monies with your petitioner, in no ways interfering with the appropriation thereof—that no part of such monies was illegally or unconstitutionally expended, and that your petitioner was not, directly or indirectly, concerned by himself or his agents or partisans in any malpractices whatever in relation to the Representation of the said county of Carlow, or in relation to the Commons' Committees thereon.

"That your petitioner and his family are extensive Protestant landed proprietors in the counties of Carlow, Queen's County, and Wexford, and that your petitioner represented the county town of Carlow in Parliament in 1832, 1833, and 1834.

"That your petitioner, on the dissolution of Parliament, in December, 1834, was an unsuccessful candidate for the borough of Carlow; but in June last your petitioner, on the unseating of Messrs. Bruen and Kavanagh, was called upon by the leading Reformers of the county to become a candidate for the representation of that county, and your petitioner thereupon was a candidate, and was returned by a majority of fifty-seven votes.

"That Alexander Raphael was returned at the same contest, in conjunction with your petitioner, by a majority of fifty-six votes.

"That the said Henry Bruen and Thomas Kavanagh were the candidates on the Tory, or "Conservative," interest, opposed to your petitioner and the said Alexander Raphael.

"That the said Henry Bruen and Thomas Kavanagh, on a petition of Carlow County electors against the return of your petitioner and the said Alexander Raphael, were declared by a Committee of your honourable House the Members for the said county, in lieu of your petitioner and the said Alexander Raphael.

"That your petitioner, by himself and his agents, is anxious to be rigidly examined at the Bar of your honourable House, or by a Select Committee, on all matters without reserve relating to all his said election matters, and without limitation as to time or circumstance.

"That your petitioner is anxious and willing to produce to your honourable House all accounts, papers, documents, vouchers, and any other matters or things whatsoever, without reserve, directly or indirectly relating to elections or election committees of the county of Carlow, and directly or indirectly relating to the matters in the said petitions, reflecting on the personal or political conduct of your petitioner or other parties.

"That your petitioner humbly and respectfully represents to your honourable House that your honourable House cannot fully or impartially investigate the merits of the said petitions without a full and strict investigation into all the peculiar circumstances of the Carlow election contests in the years 1832 and 1835.

"That the circumstances and facts connected with such elections will disclose a system of unexampled Tory persecution of the electors, and of conspiracy against the freedom and purity of election, without parallel in the records of election fraud and oppression, and circumstances immediately bearing on the merits of the said petitions.

"That the evidence before the Carlow Election Committee of your honourable House in May, 1835, was never printed, and is generally unknown to your honourable House.

"That your petitioner begs leave to refer your honourable House to that evidence, and to the remarkable testimony of the Reverend James Maher, of the borough of Carlow, before the Select Committee of your honourable House, appointed in the last Session of Parliament, 'to consider the most effectual means of preventing Bribery, Corruption, and Intimidation in the election of Members to serve in Parliament.' Your petitioner humbly averring that the said Reverend James Maher is a gentleman of indisputable integrity, education, intelligence, and local knowledge of Carlow county.

"That during and subsequently to the last three contested elections for the representation of the county of Carlow, viz. in December, 1832, and in January and June, 1835, the most scandalous corruption and inhuman intimidation on the part of the Tory landlords and of a Peer of Parliament have prevailed in the said county against honest and independent but poor electors; that during the last few years thousands of the Catholic tenantry and ancient resident labouring families by political party spirit and religious persecution have been expelled from their residences and lands, and Protestants substituted in their place; that hundreds of widows and orphans have been included in this wicked and unchristian proscription and persecution; that, by the fear of similar persecutions, numbers of the electors have been coerced to give their votes for the Tory candidates, who would have otherwise notoriously supported the Reform candidates; that persecution, by the cost and terror of distraints for rent and other legal processes, has been extensively resorted to for political and party purposes, and that appalling misery, dissension, heartburnings, and all sorts of crime, have been, and still are, the unhappy consequences of these illegal, unconstitutional, and wicked proceedings.

"That to inform your honourable House of the extent of these dreadful oppressions, partly perpetrated for political and election purposes, your petitioner inserts the following account of expelled and substituted families in parts of the said county of Carlow—a public account never yet contradicted, as acts, though the motives have been questioned; viz.—

'In one parish, the parish of Dunleckney, there have been ejected within the last few years, by three or four landlords, 178 families, amounting to 992 individuals, including 224 widows and orphans—namely,

'From the townlands of Ballinkilten, the property of Viscount Beresford, where the system first commenced, there were evicted at once 39 families, amounting to 205 individuals, including 56 widows and orphans.

'From Ballyknocken, the property of the same noble Viscount, 7 families, amounting to 33 individuals, including 13 widows and orphans.

'From Slyguff, the property of the same, 9 families, amounting to 64 individuals, including 13 widows and orphans.

'From Clowater, by the same, 6 families, amounting to 29 individuals.

'From Clonegath, by the same, 25 families, amounting to 151 individuals, including 30 widows and orphans.

'Making a total of 86 families, amounting to 492 individuals, including 112 widows and orphans.

'From that part of Colonel Bruen's estate, which is situated in this parish, the following number of families were expelled :—

'From the townland of Ballyloughan 13 families, containing 63 individuals, including 8 widows and orphans.

'Ballytarsna, 19 families, containing 101 individuals, including 21 widows and orphans.

'Knockthomas, 11 families, containing 53 individuals, including 13 widows and orphans.

'Bohermore, 7 families, containing 45 individuals, including 14 widows and orphans.

'Kildrina, 4 families, containing 22 individuals, including 6 widows and orphans.

'Nurney, 5 families, containing 30 individuals.

'Oldtown, 2 families, containing 9 individuals, including widow and orphans.

'Ballyteglea, 1 family, containing 7 individuals, widow and orphans.

'Knockullard, 4 families, containing 18 individuals, including 8 widows and orphans.

'Making a total of 66 families, containing 348 individuals, including 82 widows and orphans.

'One of these townlands was not in the possession of Colonel Bruen at the time the tenantry were ejected.

'From the townland of Ballywilliamroe, the property of Colonel Latouche, Mr. Butler, agent, 16 families, containing 98 individuals, including 17 widows and orphans.

'Dunroe, the property of Messrs. Newton, 8 families, containing 44 individuals, including widows and orphans.

'Kilcarrig and Dunleckney, belonging to the same, 2 families, containing 10 individuals, including 2 orphans and widow.

'Making a total of 10 families, containing 54 individuals, including 3 widows and orphans.

'Amounting, in all, to no less than 178 families, containing 992 individuals, including 224 widows and orphans.

'Besides those already evicted, notices to quit in a few months have been served by the same landlords upon the following number of families, viz.

'In the townland of Slyguff, the property of Viscount Beresford, 15 families, amounting to 94 individuals, including 23 widows and orphans.

'In Shaughanrane, the property of Colonel Bruen, 23 families, amounting to 123 individuals, including 33 widows and orphans, 'In Knockullard, by Colonel Bruen, 2 families, amounting to 11 persons, including 5 widows and orphans—

'Making a total of 25 families, amounting to 135 individuals, including 41 widows and orphans.

'In Kilcarrig, the property of the Messrs. Newton, 31 families, amounting to 163 individuals, including 28 widows and orphans.

'Making a total of 71 families, amounting to 391 individuals, including 82 widows and orphans.

'These families, added to those already ejected, make in all 249 families, amounting to 1383 individuals, including 316 widows and orphans.'

"That your honourable House, fully to do justice to your petitioner, to the Carlow electors, to Daniel O'Connell, Esq., and to the several petitioners, and all parties concerned, cannot, in the respectful opinion of your petitioner, decide on the merits of the said petitions without a full and unrestricted inquiry into all the above facts and circumstances.

"Your petitioner, therefore, humbly prays that your honourable House will be pleased to institute such a full and strict inquiry, and that your petitioner may be examined with all necessary agents, parties, and witnesses, in the matters of the said petition, and concerning the said elections and matters in the county of Carlow; and that your petitioner may be heard by himself, counsel, or agents.

"And your petitioner will ever pray, &c.

NICHOLAS AYLWARD VIGORS."

Colonel *Bruen* said, that he would not oppose the reception of the Petition. The hon. Member was quite correct in expressing the opinion that he (Colonel Bruen) and his friends were anxious to have the most minute inquiry made into all the circumstances connected with the case of the Carlow election. He did not dread the consequences of any advantages which might be gained against him by the presentation of this petition, though he must complain of the somewhat uncourteous manner in which he, a party implicated, had been treated on the present occasion. He had never seen the petition till seven o'clock that evening, and from what he had heard of it, as it was read by the clerk at the Table, he should say, that if the hon. and learned Member for Liskeard took upon him to have it printed, he would be lending his hand to the circulation of calumny. The hon. and learned Member for Dublin had been treated more courteously the other night in respect to the petition which had been presented from the electors of Carlow; he had had time to prepare his defence against it before it was brought before the House. He, however, would not enter upon the subject of the petition now, but having agreed to the introduction and the printing of it, he should be deceiving the hon. and learned Member for Liskeard very much if he led that hon. Member to suppose, by his ready assent to printing the petition, that he (Colonel Bruen) should afterwards agree that the contents of the petition, containing matters so irrelevant to the matter of the late election at Carlow, should be taken into consideration at any inquiry which might be instituted into the latter.

Mr. *Charles Buller* wished to clear himself from the charge of discourtesy which the hon. and gallant Member had brought against him (Mr. C. Buller). He only got the petition that evening: it had been put into his hand at six o'clock, and he immediately stated the circumstance to the hon. and gallant Member for Carlow on his coming into the House.

Mr. *Henry Thomas Hope* wished to call the attention of the House to the situation of a noble relative of his, referred to in the petition, who did not at this moment know of its presentation. As he only heard of it at nine o'clock that evening, that noble person could not, of course, be aware of the petition, which would be before the public prior to his being able to make himself even acquainted with the allegations contained in it, much less to bring forward proof that the statements contained in it could not be substantiated. He would not, as the hon. Member for Carlow had avoided doing so, enter into the subject of the petition; but he thought it was not right or fair to let such a petition be laid upon the Table, and its allegations sent before the public, without stating that his noble relative was anxious for inquiry, and that, in his opinion, the course pursued by the hon. Member was somewhat unfair in bringing this petition before the House without intimation to the parties who were attacked in a manner so painful to their feelings, and who would not be aware of the petition before an impression was made on the public to their prejudice.

Petition to be printed.

HOUSE OF LORDS,

Tuesday, February 16, 1836.

MINUTES.] Petitions presented. By the Earl of LIVERPOOL, from Owners and Occupiers of Land in Salop, praying for Relief.—By Earl FITZWILLIAM, from the Agricultural and Horticultural Association of Calcutta, for an Equalization of Duties on East and West-India Sugars.—By Lord DACRE, from the Guardians of the Poor of Royston, for an Amendment of the Poor-Laws' Amendment Act.—By Lord DENMAN, from the Town Council and Inhabitants of Annan, in favour of Mr. BUCKINGHAM'S Claims for Compensation.

HOUSE OF COMMONS,
Tuesday, February 16, 1836.

MINUTES.] Bills. Read a first time:—Exchequer Bills; and Pensions Duties.—Read a third time:—Dean Forest.

Petitions presented. By Mr. GILLON, from Places in Lanarkshire, against any further Grants to the Scotch Church; and from Spirit Dealers (Edinburgh) against the Tippling Act.—By the LORD ADVOCATE, from Musselburgh, in favour of Mr. BUCKINGHAM's Claims.—By Captain ALSAGER, from Rotherhithe, for the Regulation of Steam Vessels on the Thames.—By Mr. HAWES, from various Architects, for Means to Exhibit their Plans of New Houses of Parliament.—By Mr. GRANTLEY BERKLEY, from Gloucester, in favour of Mr. BUCKINGHAM's Claims.

REFORM OF THE PEERS—BIRMINGHAM PETITION.] Mr. *Thomas Attwood* said that he had an important petition to present to the House from the inhabitants of the town of Birmingham. It emanated from a meeting called by the Council of the Political Union, a society to which he felt it an honour to belong, and which had far different objects in view from those of the Orange Society, its objects being the maintenance of the liberties of the people, of the laws of the realm, and of the rights and privileges of the Crown. An effort had been made to misrepresent this meeting, as if it were not a regular town's meeting of Birmingham. It was one regularly convened, held in that town, and attended by thousands. They had no regular fixed authority in Birmingham for calling a meeting of the town. Their practice, during the last twenty-five years, was, that their town meetings were either called by the High Bailiff, or by the requisition of private individuals, and such a meeting, when so convened, was always considered as representing the inhabitants of Birmingham. This meeting had taken place in consequence of the efforts which the opposite party had been making for the last twelve months to agitate and disturb the country against the Reform Bill. Since the present Ministers had come into power, he had every reason to be satisfied with their proceedings, and he had felt no disposition to push them forward by the "pressure from without." But the opponents of Ministers would not rest quiet. They resorted to all modes of attack and annoyance—to the making of Conservative political unions and associations, and to the asserting and publishing all manner of falsehoods. He, in common with the rest of his neighbours, thought it fitting that those lies, and errors, and misrepresentations should be set right, and they conceived that they owed it as a duty to the Crown, to the Legislature, and to the people, to make it known that the mass of the people of Birmingham still retained a deeply-rooted love for Reform in Parliament. This petition had been signed by 20,000 persons, all volunteers, for not a single signature had been solicited—not a single person had been forced to sign it by lawyers, or parsons, or landlords. The petitioners were anxious for a further Reform in that House, and they were anxious, above all, for a Reform in the House of Lords. He looked upon such a Reform as absolutely necessary, in order to enable the House of Lords to legislate *pari passu* with that House for the good of the people. If such a Reform did not take place, there would be constant danger of collision between their Lordships and that House, and the result would be, that the House of Commons would be obliged to adopt measures which he would never recommend, unless a stern necessity called for their adoption. He hoped that the House of Lords, by means of a legal and peaceable reform, would be enabled to go hand-in-hand with that House in promoting all improvements that the interests of liberty, humanity, and justice demanded. He (Mr. Attwood) had himself no plan of Reform to offer for that purpose, but he supposed that Government would come forward with some such plan, and that it would include the abolition of voting by proxy, and the relieving the archbishops and bishops from their temporal duties in the House of Lords. He thought that the sooner this subject was touched the better, for the Lords as well as the people. The petitioners also prayed the House to carry into full effect the principles of Corporation Reform. Several important popular principles, such as the doing away with the qualification, &c. which had been inserted in the Corporation Bill, as passed in the Commons, and which had been struck out by the Lords, should be restored to it. He trusted, that under such circumstances, the Lords would not resist the will of the people of the United Kingdom. The petitioners also prayed for a Bill to reform the Irish Church. The subject had been noticed in his Majesty's speech; but he saw nothing about the appropriation clause there. He hoped that Ministers would not abandon that principle. Their abandonment of it would produce general dissatisfaction amongst the people of England. They should stand by it until it was the law of the land. Another subject to which the petitioners adverted was the necessity for introducing poor laws into Ireland. He was glad to see that a measure for that purpose was in progress, as he was convinced that there never would be peace, prosperity, or happiness in Ireland until a provision for the poor, founded on the same principle as that of the 43rd of Elizabeth, was introduced there. The hon. Member concluded by presenting the petition.

Mr. *Scholefield* could bear testimony to the statements made by his hon. Colleague. Never were good order and unanimity more observable than upon the occasion when this petition was agreed to. There were three points which the petition embraced, but he would only call attention to one of them. There was only one opinion as to the necessity of Irish Corporate Reform, reform of the Irish Church, and as to the necessity of poor laws for Ireland; but there was a difference of opinion between him and his constituents with regard to a reform of the House of Lords. It was the desire of many of the people of Birmingham not to interfere with the privileges of the House of Lords, so long as they did not obstruct the progress of improvement.

Mr. *Dugdale* had every reason to believe that when the nature of the petition was explained, the House would not attach so much importance to it as the hon. Member who presented it appeared to expect. The principal prayer of the petition was for an organic change in the House of Lords, by which was meant an utter destruction and violation of the rights and independence of that House as a branch of the Legislature. That object might appear desirable in the eyes of the hon. Member for Birmingham, and to a few persons there who were deluded and led away by the wily eloquence of the hon. Gentleman, but it was an object held in abhorrence, and repudiated by an immense majority in that great and important town. At the time of the meeting referred to by the hon. Member, a number of gentlemen of the highest respectability connected with Birmingham objected to the course pursued by a few persons in taking upon themselves to call a Town-meeting, and to represent the feelings and opinions of the inhabitants. These gentlemen drew up a protest against the proceedings of the requisitionists, which he begged to read to the House. It was as follows:—

"Birmingham, Jan. 13, 1836.

"An advertisement and placard having been issued by certain persons calling themselves 'The Council of the Birmingham Political Union,' and pretending to act under an authority intrusted to them by the inhabitants of Birmingham on the 4th of September last, and these persons having taken upon themselves to convene a general meeting of the inhabitants for the purpose of passing an address to the King, and a petition to the House of Commons,

"We, the undersigned magistrates, clergy, gentry, bankers, merchants, manufacturers, tradesmen, and other inhabitants of Birmingham, publicly protest against the proceedings of this self-constituted body. We deny that either on the 4th of September last, or on any other occasion, 'the inhabitants of Birmingham intrusted' those persons with any power, authority, or right to represent them in any way whatever. We deny that they do, in fact, represent either the property, the respectability, or the opinions of this town, and we take this step with a view to disabuse the public mind as to the nature and pretensions of the proposed meeting, and that the character of this town may be no longer compromised and its commercial interests injured by the proceedings of the Political Union."

This protest was signed by 2,000 persons, all of whom were inhabitant householders of Birmingham—men of full age, and of the greatest respectability, including individuals of different political opinions: he believed the hon. Gentleman would find in the list of signatures the names of some of his own supporters. There were a few names in the list which had been placed in it by mistake, and which he had therefore scratched out. The protest included all the officers of the borough but the Low Bailiff. It contained the names of twenty-five clergymen, sixty attornies, forty physicians, 135 gentlemen, two bankers, and eighty merchants. The petition was said to come from the body called the Birmingham Political Union; but it was well known to every man in the House, that that body had been bled to death a long time ago, and he believed it was out of the power of the hon. Member for Birmingham, with all his eloquence, ingenuity, and ability, to bring it again into existence. In the first place, then, this petition came from a dead body. It was said that there were 20,000 signatures to the petition—a most formidable number indeed, and the document would be assuredly entitled to the consideration which the hon. Gentleman claimed for it at the hands of the House, if those were the signatures of living persons, of full age and sane minds. Were they so? That was exactly what he wished to know. Who were the petitioners? Were they men, women, or children? Were these the advanced guard of the host of 20,000,000 men which the hon. Member for Birmingham informed them were ready to march under his banners, and against whom a few thousand pitiful wretches called Tories could do nothing. He had received information from a friend residing at Birmingham of the manner in which some of those signatures had been obtained, and he was ready to prove at the Bar, if the House wished it, the truth of his statement. First, the petition had been sent to a vast number of pothouses of the lowest description in Birmingham, and persons were sent to guard it who were of the lowest character. People were stationed with it for a fortnight in all the public streets and thoroughfares of the town, and they were seen in the open streets to sign name after name to the petition without the authority or presence of any one. His informant stated that he saw tables in the streets surrounded by children of ten or twelve years of age, and one of them who could write, was writing the names of the rest, which were many of them ill spelt. Many of the sheets were covered with marks, purporting to be those of several persons. He would leave it to the House to say which they considered of most consequence—the protest he held in his hand, or the bulky petition that had been laid upon the Table.

Mr. *O'Connell* said, that was exactly the question. Here were 20,000 signatures on the one hand—to be sure they were those of the rabble, according to the hon. Member for Warwickshire—a familiar name for Englishmen at present. On the other hand was the protest of the hon. Gentleman; among the 2,000 signatures to which, the hon. Member candidly admitted that there were some mistakes, which he had scratched out. Mistakes meant forgeries. Here were 20,000 signatures attached to a petition when nobody was by, and this happened, not in Potatoshire, but at Birmingham. The people ought not to be treated with ridicule such as the hon. Member had employed. Perhaps they asked for what the hon. Gentleman thought was unreasonable—a change in the House of Lords; but Englishmen had a right to ask for any organic change that they thought necessary for their liberty. If they thought that there ought to be no irresponsible power in the state, the people had a right to say so, and to petition the House on the subject, provided they expressed their sentiments in respectful language. The people of Birmingham were entitled to entertain their opinion, the hon. Member to retain his, as to the House of Lords or any other subject; but having himself been received with high honour at Birmingham, he felt bound to say that he saw 2,000 individuals at a meeting in that town who appeared to him to be quite as respectable (they could not be more so) as the hon. Member—as intelligent and as discriminating. Those persons could have had no reason for joining in sentiment with him, but that which arose out of a belief that they had a community of feeling as to the necessity of increasing the guarantees of British liberty. The day was gone by when the people could be safely sneered at in that House, because a voice representing the people would now be raised in their behalf whenever they were attacked or slighted. The hon. Gentleman might sneer at the eloquence of the hon. Member for Birmingham, but he did not know that the hon. Gentleman exceeded the hon. Member, except in brevity; and perhaps this was because the hon. Gentleman thought the less said about his cause the better; but he did not exceed the hon. Member for Birmingham in integrity, or in his exertions in the cause of reform, which owed much to the Member for Birmingham, but still more to the determination of the people of Birmingham. He believed that they would now be sitting in a rotten borough Parliament if the people of Birmingham had not expressed their opinion in as firm but peaceable a manner as they did. Ought not this petition of 20,000 people to be therefore treated with respect? He was sure that no Tory clique would venture to treat such a petition with contempt.

Mr. *Scarlett* said, it had always been the practice of those persons who were discontented with the institutions of their country to collect together meetings of the working classes of society, who had not time to devote their attention to political considerations, and who were therefore easily deluded, and to endeavour to persuade them that they were ill governed, with a view to induce them to support organic changes in the state. This House would consider with indulgence, and not too nicely criticise, the petitions of the people; but it deserved their serious consideration, whether petitions of this nature ought to be encouraged, proposing, as they did, to alter the most important guarantees of our national liberties. The best excuse for those who in former days had been indicted for high treason, because they agitated a question of reform in that House, consisted in the allegation that such a reform was only sought to be obtained by due course and process of law, and with the consent of the House itself, for the purpose of increasing whose power it was intended; but as no man could reasonably expect that the authority of the Lords was to be diminished by their own consent, or by any means short of actual force and revolution, he did not see how the proposition for effecting such an organic change in the state differed from the case of treason. How could Members distinguish between this case and a demand for a reform in the monarchy? He could not understand the distinction, and in his opinion, those persons who demanded such organic changes were traitors to the state.

Petition laid on the Table.

Carlow Election—Mr. O'Connell and Mr. Raphael.] On the Motion of Mr. Hardy, the first Standing Order relative to elections was read by the Clerk as follows:—"That if it shall appear that any person hath been elected or returned a Member of this House, or endeavoured so to be, by bribery, or any other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices."

Mr. *Hardy* spoke to the following effect:—Whether the risibility of hon. Gentlemen has been excited by the reading of this order I know not; but of this I am convinced, that the case which I am about to lay before the House for its consideration comes within the principle, if not the very words of that order. And, Sir, it is a matter of great relief to my mind that this matter comes before the House at a time and under circumstances fixed upon by the hon. and learned Member himself, who is most interested in the result of the proceeding. I am rejoiced at that fact, because I did fear that the hon. and learned Gentleman might have sustained some inconvenience in consequence of an omission on my part in not having communicated to him the petition which I had to present, but which, or rather a copy of which, I have since learnt, was in his hands before it was in mine. Sir, there was another circumstance which I was apprehensive might have created some inconvenience to the hon. and learned Member, and that was the hour at which the discussion of this case might be likely to come on, in consequence of my notice standing the ninth on the paper for this evening. Accordingly, as soon as I could satisfy myself, which was not until late on Wednesday night, that I had a perfect right to bring it forward in precedence as a breach of privilege, I determined to write, and the next morning wrote a note to the hon. and learned Gentleman, which note I will read to the House:—"Mr. Hardy presents his compliments to Mr. O'Connell, and begs leave to inform him that it is his intention to claim precedence for his Motion of this evening respecting the Carlow election, as involving a breach of privilege.—7, Portland-place, Feb. 11." The answer was, that the hon. and learned Gentlemen was not up, and would not be up for an hour; but in the course of the morning I received the following note:—If any act of Mr. Hardy's could create surprise in the mind of any impartial person, it would be that, after having neglected all the ordinary courtesies between Members, he should have had the almost incredible presumption to address his first communication to Mr. O'Connell, who, however, cannot but feel flattered that Mr. Hardy should send him his compliments." Sir, I trust, if I am to judge by the confidence which the hon. and learned Member has displayed, he cannot but be glad that I sent him my compliments. But I trust also, that this evening the objection which on Thursday night was made to the proceeding by the hon. and learned Member namely, that it was "a mock solemnity," will not be repeated — a designation which, I think, was given by the hon. and learned Gentleman, not with perfect consistency, because he himself thought that it was a case for inquiry, and how a 'mock solemnity" should occupy the attention of the House, or how, if it was fairly a case for inquiry, it could be a "mock solemnity," I know not; but perhaps the hon. and learned Gentleman can explain. If, however, it was a case of "mock solemnity," something has passed since Thursday which rescues it from that title. Since Thursday, nay, no longer ago than last night, steps have been taken by two hon. Members which have given this question a solemnity which it never possessed before. I have had an opportunity of conversing with the hon. Member for Ipswich, who a few nights ago treated the question very lightly; and who stated, to show what his feelings and opinions were respecting it, that it was his intention to move for an account of all the transactions and agreements between all the Members of this House. Whether, upon consideration, he found that such an inquiry would not suit all purposes, I know not; but, from considering the present a case of no importance, it became, in his estimation, of such magnitude and interest that he last night gave notice that he would move for its being heard at the Bar of the House. Another hon. and learned Member last night presented a most extraordinary petition, which I did not hear, but which I have read in the votes of the House, and which appears to me to proceed upon grounds the most extraneous with respect to this matter; for it is presented from a gentleman of the name of Vigors, who, in June last, was elected a Member for the county of Carlow, and who complains of the imputations cast upon him in the two petitions upon the Table; whereas the petition from Bath never mentions his name at all; and in the petition from Carlow it is only mentioned twice, incidentally; and yet the petition presented last night by the hon. Member for Liskeard complains of illegal, corrupt, and unconstitutional conduct on the part of the former petitioners. But, Sir, I say that my Motion has become one of great importance; for had it not been for my Motion for inquiry into this subject, two hundred and forty-nine unhappy families, amounting to nine hundred and ninety-two individuals, and three hundred and sixteen unfortunate widows and orphans, would never have had their wrongs and distresses brought under the consideration of the House [*laughter, and cries of* "*Hear, hear.*"] Aye, the hon. and learned Gentleman Mr. O'Connell calls "hear!" but where was he when, as it is stated within the last few years, the distressing circumstances mentioned in Mr. Vigors' petition took place. Why did not the hon. and learned Gentleman bring forward the wrongs of these unhappy widows and children? Why is it that the circumstances of their case are so peculiarly connected with the circumstances of mine, that those circumstances have only now come out, although it is stated in the petition that the people have been persecuted for years. Having made these few preliminary remarks, I will now proceed with the case which I have undertaken to lay before the House. It lies in a very narrow compass. Most gentlemen must recollect, that on the 27th of last May, the Committee then sitting to consider the merits of the petition complaining of an undue return for the county of Carlow, declared the election of Mr. Cahill and Mr. Maurice O'Connell void. On the 28th of May, the next day—so that the freeholders of the county of Carlow could not have been consulted on the subject—the hon. and learned Member for Dublin called on Mr. Raphael, and proposed to him to become a candidate for the county of Carlow, at the same time telling him that the expense could not exceed 2,000*l.* After that, a meeting between the parties was appointed at the House of the hon. and learned Member for Dublin; but owing to some mistake, it did not take place. On the 29th of May, only two days after the seats had been declared void, the hon. and learned Gentleman wrote the following note to Mr. Raphael:—

9, Clarges-street, May 29, 1835.

"My Dear Sir.—I remained at home, at some inconvenience, until after the hour I mentioned. I was sorry I did not remain longer, as you called shortly after; but as you left no letter or other indication of acceding to my proposal, I take for granted that you decline my offer—be it so. I only add my belief that you will never again meet so safe a speculation. I am quite sure I never shall hear of one.

"I have the honour to be, my dear Sir,
"Your very faithful
"Daniel O'Connell."

Now, Sir, this reminds me of what has been quaintly said by one of our poets—

"The thing for sale calls forth the seller's praise."

and certainly if it had been wanted to puff one of the seats for the County of Carlow, nothing could have been better than the expression used by the hon. and learned Gentleman, when he assures his friend that it is so safe a speculation that he will assuredly never hear of such another. It would seem, Sir, from his earnestness in the cause, that the hon. and learned Member for Dublin was very anxious that the County of Carlow should be honoured by having so distinguished a representative as Mr. Raphael. In consequence of this note, a meeting between the parties took place at the house of the hon. and learned Member on Sunday, the 1st of June; at which meeting the hon. and learned Gentleman wrote and delivered into Mr. Raphael's hand the following letter:—

"9, Clarges-street, June 1.

"MY DEAR SIR,—You having acceded to the terms proposed to you for the election of the County of Carlow—viz., you are to pay before nomination 1,000*l.*, say 1,000*l.*, and a like sum after being returned—the first to be paid absolutely and entirely for being nominated—the second to be paid only in the event of your being returned—I hereby undertake to guarantee and save you harmless from any and every other expense whatsoever, whether of agents, carriages, counsel, petition against the return, or of any other description, and I make this guarantee in the fullest sense of the honourable engagement—that you should not possibly be required to pay one shilling more in any event, or upon any contingency whatsoever.

"I am, my dear Sir, your very faithful
"DANIEL O'CONNELL.
"A. Raphael, Esq."

A bargain was thus entered into between the hon. and learned Member for Dublin and Mr. Raphael. I ask his Majesty's Attorney-General, if he will favour us with his opinion, if he ever witnessed a more complete bargain and sale? What was the subject matter of it? A seat in Parliament. If it had been a bargain for a horse there can be no doubt that it would have been enforceable in a court of law; but it is not enforceable in a court of law because it is a bargain for a seat in Parliament. Will any man tell me that Mr. Raphael would have sat in this House as representative of the County of Carlow, if it had not been for the 2,000*l.*? Will any man tell me that Mr. Raphael would have been recommended to the electors of the county of Carlow by the hon. and learned Member, if it had not been for the 2,000*l.*? What more is wanted for a bargain? As it is necessary to show that the hon. and learned Gentleman did not think the money of no importance, I beg the attention of the House to the notes which the hon. and learned Gentleman subsequently wrote to Mr. Raphael; in which he asks over and over again for the 1,000*l.* The hon. and learned Gentleman wrote as follows:—

"9, Clarges-street, June 4, 1835.

"MY DEAR SIR,—I have heard from Mr. Vigors this day our prospects are quite bright.

Now as the bargain had been concluded only on the 1st of June, and as this note was written on the 4th of June, what could Mr. Raphael's prospect have been? The hon. and learned Gentleman's recommendation of Mr. Raphael had not arrived in Carlow; and I am therefore at a loss to divine what could be meant by "our" prospects. The note proceeds:—

"I will arrange your address for to-morrow's post, and my own for immediate publication. I at present entertain no doubt of success; you will hear again from me to-morrow. Who is Mr. Hamilton, with whom you have deposited the 1,000*l.*? I do not know any person of that name in London. I hope I shall soon have the pleasure of sitting by your side in the House. Till to-morrow, I have the honour to be,

"Your very faithful servant and friend,
"DANIEL O'CONNELL."

On the 8th of June, the hon. and learned Member for Dublin writes to Mr. Raphael again:—

"London, June 8, 1835.

"MY DEAR SIR,—I sent off yesterday my letter to the electors of Carlow on your behalf; all my accounts confirm my opinion of an easy victory. I doubt whether there will be more than the show of a contest, but I am assured in any event of success. I send you a slip of a Carlow newspaper, showing that you are already nominated under the most favourable auspices. I also send you the draft of an address; I beg of you to peruse it, and to return it to me with any corrections you may deem necessary, or if you approve it, then with your signature; my wish is that you should alter it as little as you possibly can. I also send you a sealed letter from Mr. Vigors. I beg of you to return the address as near to four o'clock this day as you can, that I may transmit it to *The Dublin Pilot* for publication on Wednesday next. All the good men of Carlow see that paper. Let me know who the Mr. Hamilton is with whom you deposited the 1,000*l.* I expected you would have lodged it at Mr. Wright's. It is time this were done.

"Faithfully yours,
"DANIEL O'CONNELL."

Now, Sir, this is the bargain which I have thought it my duty to bring under the consideration of the House. And when, being excited to do so, I was beginning the other evening to state the case, I was called to order, Sir, by you, because, as you observed, the only question then before the House was, that the petition should lie on the Table; I was observing, that from the circumstances I did not draw the inference that sheer money went into the pockets of the hon. and learned Gentleman. The House must have seen what weight has been attached to that admission. They must have seen that though I am but a little man when I accuse, when I acquit I become of great magnitude and importance. But, Sir, on the occasion to which I have alluded, I was going on to say, that although in consequence of the contest which had taken place for the county of Carlow, and of the petition which had followed, there might not have remained any sheer money in the hon. and learned Gentleman's pocket, yet that that did not signify. There are men to whom the gratification of their ambition is a matter of much greater consequence than any money consideration; and if the hon. and learned Gentleman believed that his political influence and importance would be increased by adding Mr. Raphael to the number of his party in this House, we can easily understand his anxious inquiries about Mr. Hamilton. But, Sir, when I recollect that the seat was abandoned by the hon. and learned Gentleman (as appears by the newspapers) on the second or third day of the sitting of the Committee, I do not very clearly understand how the money in question could have been expended. Carlow is a small county, with scarcely as many voters in it as there are in the borough which I represent. I must believe, therefore, that the contest could not have been very expensive. But what would have been the case if there had been no contest? And if there had been no contest, of course there would have been no petition. And 1,000*l.* was given solely for the nomination; when the hon. and learned Member expected not merely an easy victory, but not even the shadow of opposition. What then would have become of the balance of the money, if the rival candidate had relinquished every effort? I find it a part of the bargain that Mr. Raphael shall not be called upon for one shilling more; but I do not find it a part of the bargain that any portion of the money shall be returned to him. These, Sir, are the circumstances of the case. As I have already remarked, they lie in a very narrow compass; and I have seen no defence of them except in a public paper, in the estimation of which the hon. and learned Member for Dublin stands high, and in the petition which was presented last night it is said that nothing is more common than arrangements of this kind; indeed it is expressly stated, "that the money transactions alluded to in the said petitions were, as your petitioner avers, and is advised, strictly legal, constitutional, and honourable; that the great majority of your hon. House is accustomed to make similar money arrangements in respect to their seats in the Commons' House of Parliament." And, Sir, it is stated in the paper to which I have alluded, that nothing is more common than that one candidate should pay all the expense; and that, in the present instance, Mr. Vigors had reputation and popularity, in the benefit of which Mr. Raphael was to participate. But I am yet to learn that an hon. Member who offers himself to his constituents has a right to sell his reputation. If he have those qualities, and not a plentiful purse, he has no right to go to a rich friend and say, "Do you pay all the expenses of the election, and you shall have half my popularity, and half my reputation." I cannot understand how any such bargain can be legal. If it be so, this is the first time that I have ever heard of it; and I cannot understand how any person who calls himself an agent in such a bargain, especially if that person be a Member of this hon. House, can attempt to vindicate a bargain of such a description. I cannot call the hon. and learned Member for Dublin an agent: I wonder that he condescends to call himself an agent, because I never heard of an agent who undertook to be responsible—of an agent who declared—"I hereby undertake to guarantee and save you harmless from any and every expense whatsoever, whether of agents, carriages, counsel, petition against the return, or of any other description." I do not know how a person who enters into such a compact can be called an agent. I should rather think that Mr. Vigors, the petitioner of last night, was the agent of the hon. and learned Gentleman at Carlow, rather than that the hon. and learned Gentleman was the agent of Mr. Vigors in London. Well, the consequence of this bargain is, that the hon. and learned Gentleman puts in two Members for the county of Carlow—one his old and familiar friend Mr.

Vigors, whom he returned, I suppose, *ex animo*, the other his new and much-esteemed acquaintance, Mr. Raphael, whom he returned, it seems, *ex contractu*. Thus the hon. and learned Gentleman gained to himself a very great advantage in that which is the chief object of his ambition—the maintenance of his influence in Ireland. But whilst the hon. and learned Gentleman obtained this advantage on the one hand, it appeared on the other to be matter of very little importance or consideration with him what sort of a representative the people of Carlow might happen to get. He has influence in Carlow—he exerts that influence, and returns Mr. Raphael. What do the people of Carlow know of Mr. Raphael?—they never see him—they never hear him—they have no ocular demonstration either of his physical or intellectual abilities. All they know of him is his address, and in that there is nothing of his own but his name. Now, it is said that the hon. and learned Member exercised upon this occasion nothing more than his moral influence in Carlow. But I humbly contend, that I am in the hearing of a great many other lawyers in this House, that if a man possess a moral influence in a borough or a county, he has no right to make use of it for a money consideration. I have seen a new writ moved for this Session, in order to replace a noble and learned Lord who, having been for some time the third part only of a Chancellor, has at length become a whole one. A seat in this House having thus become vacant, a new writ has been moved for, and a gentleman has come forward as a candidate for the borough which the noble and learned Lord lately represented, in which borough it is well known that a noble Lord of the highest respectability—and no one respects him more sincerely than I do—possesses a very great deal indeed of moral influence. Now, I should like to know what would be said of that noble Lord if he went and made such a bargain as this for the sale of his moral influence? Nay, I will put a still more analogous case. I believe there are some constituencies in the country who would be glad to receive a candidate recommended by the right hon. Baronet the Member for Tamworth. I will suppose a gentleman to whom that right hon. Baronet should go and say, "I know very well that if I recommend you for such a borough or county, you will be sure to be returned; give me 1,000*l.* for putting you in nomination, and another 1,000*l.* when you are returned, and then I will send you a laudatory letter which shall introduce you to the constituents of the place, and make sure of your election." I should like to know if such a circumstance had transpired with respect to the right hon. Baronet, whether the walls of this House would have been stout enough to stand the vibration of the cheers with which the hon. and learned Gentleman, the Member for Dublin, would be saluted when shooting forth those arrows of invective with which his quiver is ever so abundantly supplied. I have stated what the bargain was; and this, perhaps, is all that it is necessary for me to do; because whatever the consequences of the bargain were, how the money was expended, to what purposes it was applied, are points which, as regards my motion, are not in the least degree important. The question is, how the hon. and learned Gentleman had the power to enter into the bargain, and what the bargain entitled him to do with the money for which he stipulated; because, looking only at the face of the bargain, there appears to be nothing to prevent the hon. and learned Gentleman from putting every farthing of the money not actually spent in the election expenses into his own pocket, for his own personal aggrandisement or advantage. It is, therefore, hardly necessary that I should state more upon the subject. I cannot help observing, however, that when I first read the statements which were made of the circumstances which afterwards occurred, I could not help asking myself, why was it necessary for the hon. and learned Gentleman to recommend Mr. Raphael, an unknown man to the electors of Carlow, at all? Was there no Irish patriot who would go and present himself to the freeholders of Carlow, and offer to fight their battles in this House? Was there no man except an unknown London merchant who could spend, if necessary, the trifling sum of 2,000*l.* in legal expenses for the purpose of vindicating the people of Carlow, and doing justice to Ireland? It appears that there was a gentleman who did make inquiries upon the subject—a gentleman whom I respect for his straightforward conduct during the time that he sat in this House—I mean Mr. Feargus O'Connor. He, it appears, had made inquiries upon the subject; but as soon as this was intimated to the hon. and learned Gentleman, he at once writes a note to Mr. Raphael, in which he says, "It is not my fault that Mr. Feargus O'Connor called upon you: refer him and everybody else to me. I want part of the 1,000*l*. to send over." And on the same day the hon and learned Member wrote this note to Mr. Hamilton:—

> "Sir,—I beg you will hand my son, Mr. John O'Connell, the 1,000*l*. placed with you by Mr. Raphael for my use. My son will give you a voucher for it.
>
> "I have the honour to be, Sir,
> "Your obedient servant,
> "Daniel O'Connell."

It was upon this ground that I made the observation I did the other evening with respect to the hon. Member for Youghall; because, although he was the bearer of a note from the hon. and learned Member for Dublin claiming payment of a sum of money deposited by Mr. Raphael in the hands of Mr. Hamilton, it did not follow that he should know for what purposes that money was to be delivered to him. However, if this inquiry goes on it will be for the Committee—supposing one to be appointed—to inquire into all the circumstances of the case. I do not know that it is necessary for me to make any further observations with respect to the facts of the case. I have laid them fairly before the House, as I have felt it my duty to do; and if the hon. and learned Gentleman can get rid of them, either by argument or evidence, I for one shall rejoice that I have given him the opportunity of vindicating his conduct, and I think the hon. and learned Gentleman himself will be grateful to me. Before I sit down I shall only beg to make a single observation with respect to what fell from the hon. and learned Member for Tipperary, (Mr. Sheil) the other night. That hon. and learned Gentleman, for a purpose too evident—for the purpose of exciting the prejudices of the Ministerial side of the House against my Motion—chose to represent me as put forward on this occasion by the Conservatives. Now there happens to be a Gentleman, sitting at this moment, I believe, behind the Treasury bench, to whom I mentioned my intention more than two months ago. Every Gentleman around me hears what I say, and if there be a man on this the Opposition side of the House who heard me mention it to him a month ago I would have him stamp me as a villain. And the hon. and learned Member for Tipperary, for the purpose, as I say, of creating a prejudice against my Motion, puts me forward, ironically, no doubt, as the leader of the Conservative party on this occasion. I do not pretend to be the leader of a party. I am not of the Monboddo breed of politicians. I know little of the articulation of the joints of a tail either politically or anatomically; but this I know, that I come into this House an independent man. I entered this House upon the principles so eloquently described by the noble Lord (Lord John Russell) when he introduced the Reform Bill, and upon which the noble Lord expressed his determination to take his stand: "I take my stand," said the noble Lord, "upon a ground which shall enable me to reform abuses and arrest commotion." That is the ground upon which I also am disposed to take my stand, and if a desire to reform abuses and arrest commotion, constitutes one of the peculiar characteristics of the Conservatives, I at once avow myself to be a Conservative. That, at all events, is the course of policy I am determined to pursue as long as I have the honour of a seat in this House. With respect to bribery and corruption, I call upon the hon. and learned Member for Tipperary and all his friends on that side of the House to say, whether they ever found me flinching when they were inquiring into cases of bribery and corruption—whether at Stafford, at Warwick, at Ipswich, or in any other instance which has been under the consideration of the House, since I have had the honour of a seat in it. I wish to be consistent; and I cannot understand the conduct of those Gentlemen who, after having hunted with a keen and greedy scent, all the little peccadilloes of obscure men in particular isolated instances, loose all their scent, and find their energy for pursuing the chace completely paralysed as soon as they approach a wholesale dealer in seats. I have always been startled at the policy of those Gentlemen. They call themselves Radicals —they monopolise the name of Liberals. Liberals indeed!—their liberality, I think, was not shown the other night. If such be their liberality, I must say I have seen such a specimen of it as to determine me never to belong to that sort of political Pharisees, who strain at a gnat, but, when occasion suits, find no difficulty in swallowing a camel. With these observations

I conclude by moving:—"That a Select Committee be appointed to inquire into the circumstances attending the traffic and agreement between Mr. Daniel O'Connell and Mr. Alexander Raphael, touching the nomination and return of Mr. Alexander Raphael for the county of Carlow, and to report the minutes of evidence, with their observations thereon."

Mr. *O'Connell:* my first observation is, that I think the resolution just moved by the hon. Gentleman an extremely paltry one; it does not sufficiently extend the inquiry it challenges and demands. With that observation I leave the case in the first instance. My next observation is directed to that part of the hon. and learned Gentleman's speech, the commencement of it, in which he introduced the correspondence that took place between him and me previous to his motion on Thursday last. The hon. and learned Gentleman prefaced his remarks upon that point, by stating that I had been furnished with a copy of the petition, before the petition itself had been placed in his hands. That is a fact I utterly deny. I utterly deny the truth of that statement. And yet the hon. and learned Gentleman stated it as a fact, and was cheered by four-fifths of the hon. Gentlemen who sit on that side of the House. This I suppose was a specimen of the impartiality with which the circumstances of the case are to be heard, and the determination of the House expressed. But I am not surprised that they should not be impartial, and I believe they have not the hypocrisy to assert that they are. Yet when I heard the cheer of the party opposite, it put me in mind of a circumstance which was described to me by the present Chief Justice of Ireland—Chief Justice Bush. After the rebellion of 1798 (I had the statement from his own lips), when the amnesty had been passed, granting pardon for all crimes committed during the rebellion, murder alone excepted, he (Chief Justice Bush) being at that time at the bar, was engaged as counsel for a prisoner at Wexford. This man was tried upon an indictment for murdering a yeoman, named James White, and two witnesses appeared upon the table to support the prosecution. The case was tried before Baron Michael Smith, the father of the present Baron Smith. Well, two witnesses appeared upon the table to prove what certainly was the fact, that the prisoner had been engaged in the rebellion, and they, moreover, swore that they saw him kill with a pike the yeoman James White. With that evidence the case closed on the part of the Crown; and Mr. Bush was asked whether he had any witnesses to call for the prisoner? Oh yes, he had one witness, and but one, but upon the evidence of that witness he should confidently look for an acquittal. With that he placed the yeoman, James White, in the witness-box, who swore positively that he was alive, and had never been killed. The witnesses for the prosecution were in Court, and no doubt could have identified the man; but the Judge thinking the case was at an end, left it to the Jury to pronounce their verdict. The Jury retired and deliberated for a short time, and at length, returning into court, gravely pronounced the prisoner "guilty." "Guilty!" said the Judge, "how can you convict a man of murder, when the party supposed to have been killed by him is alive and looking at you?" "Oh," said the foreman of the Jury "the prisoner ruined a gray horse of mine, one of the finest in the kingdom; for that offence he will escape any punishment under the Indemnity Act, and, therefore, we are determined to hang him on the charge of murder." This was described to me by the present Chief Justice of Ireland as a literal fact. Now, when I heard the cheers of the hon. Gentlemen opposite to-night, I thought that I, like the prisoner at Wexford, was to be convicted of one offence because I had committed another; that I was to be convicted of corruption because I had put down Toryism. That is my real crime. It is not that a man was returned at the trifling expense of 2,000*l.* for a contested county election, but that seeing Toryism, as the gray horse, again riding rough shod over Ireland, I forgot every passion and prejudice of my own—forgot all my own wrongs, and threw the whole of my influence in the country in opposition to the Tories. Yes, my offence is, that I put myself forward as an instrument to support the present Government, and to keep the Tories where they now are, and I trust always will be. I call upon the House, then, to look upon this matter, not as a mock solemnity, although I certainly cannot help thinking that there is something of mockery in it, but as a matter of grave and serious consideration. The hon. and learned Member for Bradford (Mr. Hardy) heard me the other evening when I stated that I knew an individual who declared that the hon. and learned Member had expended upwards of 7,000*l.* in his own election. The hon. and learned Gentleman heard me speak of that election. He heard me repeat the statement I had heard. Yet neither on the former evening, nor in the course of his speech to-night, has he said one word in contradiction of it. Oh, then, I know what his mock solemnity is. Oh, then, I know what his straining at a gnat and swallowing a camel means. For mark, his party was accused of purchasing votes at from 3*l.* to 20*l.* a piece. [An *Hon. Member:* Not at the last Election.] Oh, no not at the last election. Votes came otherwise at the last election. No one but the hon. and learned Member himself knows what were the costs and expenses of the last election. But I come to the question. There is not a man in this House, or out of it, who does not know that this is a party attack; that it is the attack of a party who have used the press, and bribed the press to assail me—that very press, amongst others, which belongs, in a great measure, to a Member of this House, and who himself expended 30,000*l.* or 40,000*l.* in his election for an English county. I shall, perhaps, revert to this part of the subject again before I sit down, for I do hope that this case will be a useful one. I know what the amount of hypocrisy in this House is. I know how many of those who affect to see a mote in the eye of their neighbours, will still allow the beam to remain in their own. I have often been the instrument, by means of my enemies, of effecting much public good; and I fancy that such will be the result of the present inquiry, which ought to be extensive and searching, and not a miserable, paltry, and pitiful investigation, which the hon. and learned Member for Bradford conscientiously limits to a particular transaction. Instead of being confined to such narrow and contemptible grounds, the inquiry ought to extend to the whole of the late general elections. We have sage doctors amongst us, men learned in the forms and technicalities of the House, who, no doubt, would oppose such a proposition; but I dare you to the contest. If you ask for inquiry at all, I hope you are prepared to make it extensive and general. There are two points to be ascertained in this inquiry. Of the charge of personal bribery and corruption I was acquitted the other evening. Oh yes I was, for what did the hon. and learned Member for Bradford say to-night? "When I charged the learned Member for Dublin," said he, "I was described by his friends as a pigmy; when I acquitted him I was considered a giant." I know not whether I am acquitted by the Gentleman who interrupted me, but this I know, that of the charge of personal bribery and corruption, I am fully and completely acquitted by 200 or 250 of the hon. Gentlemen who sit on this side of the House. I wish to know whether the hon. and learned Gentleman shrinks now from the acquittal which he gave me the other night of personal corruption, or of having put money into my own pocket? and whether he now goes back ro his original charge, driven to it, of course, not by the Conservatives, but by his own honourable and conscientious feelings? Why the noble Lord, (Stanley), the Member for South Lancashire, who is not now in the House—[*It was intimated that Lord Stanley was present.*] Oh, I beg the noble Lord's pardon, but not seeing him in his proper place, I naturally supposed he was absent. I was about to state that the noble Lord, in his speech the other evening, drew the distinction between personal and pecuniary corruption, and I thought that the hon. and learned Member for Bradford had drawn the same distinction to-night. I understood him to do so distinctly. But I take up the case precisely as it stands—I take up the case which the noble Lord spoke of—the case of personal corruption and pecuniary corruption. I go into both; and I defy either the one or the other to be brought against me in any shape that can reflect upon my personal or political integrity. I take up both; and I fear not the result. You may, by a majority, name a Committee before which I will not go. Yes, you may do this; but if you do, I tell you your Committee would be so stigmatised by its formation, that the public at large would pay no regard to its proceedings. I want an independent Committee—a Committee whose verdict of acquittal would really be a purification from the charge. That is the Committee I want; and shame upon you, if you have congregated here to put partisans on the Committee against me. Well I take up both the cases put by the noble Lord. Am I guilty? Is there any charge against me of personal corruption? Is there any proof of my having improperly used that moral influence which the hon. and learned Gentleman supposes me to possess? And here let me remark, for one moment, on the hon. and learned Gentleman's great candour—his Christian candour on this subject. He has read the charges made against me;—would it not have been as charitable if he had also read my reply to those charges. And when he talks of Mr. Vigors, as if that gentleman was a person inferior to him in any thing, would there not have been as much of Christian candour in his statement, if he had informed the House that Mr. Vigors distinctly asserted that not one farthing of the money remained, or was ever intended to remain in my hands. Oh, I thank you for your candour. I thank you for your Christian charity, and I thank you for your kind forbearance. I come back to the double point of view which this case presents. Does it present anything of what is called personal corruption—does it present anything of pecuniary corruption; I laugh to scorn the second, and begin with the first. I distinctly admit that I have very considerable influence in Ireland. I admit that I have a degree of influence which ought not to be left with any one man in Ireland. I admit that I have a dangerous influence in Ireland. I have an influence, which in a sound state of society, no man possibly could have in Ireland. Would you wish to make that influence all-powerful. If you do, take up the unjust, the partial, the (I will not call it odious, but) criminal statement which has been made by the hon. and learned Gentleman. If you take up his view and confirm the justice of his statement, will you diminish my power in Ireland?—will you diminish my influence with the oppressed in that country? No; you will add to it by another injustice. The people of Ireland will say, "It is not the fact which has been condemned, but the advocate of our rights—the defender of our privileges—the sustainer of our liberties, and thus another gross and glaring injustice has been perpetrated upon us." I certainly never heard any thing so perfectly and completely framed for the purpose merely of injustice as the statement of the hon. and learned Gentleman; yet if he refuse to do me justice—if he refuse to give me a liberal and enlightened Committee, does he not know that he will be adding tenfold to my power in Ireland. Nay more, I have some influence in England too; I may meet the hon. and learned Member at Bradford, and there I shall be at liberty to proclaim against him the history of the election of Pontefract—if, indeed, the hon. and learned Member should ever stand for Bradford again, which, from all I can hear, I am disposed to think as exceedingly doubtful. Does he wish to increase my power in England? If so, let him persuade the House to do me an injustice, and he will be taking the surest means to secure his wish, because my power is bottomed entirely upon injustice—partial injustice in England, general and universal injustice in Ireland. I admit that I have as powerful influence as any man in Ireland—nay more, I admit that I am the hired servant of the people of Ireland—I admit that they have amply indemnified me for having given up my profession and the reasonable prospects I had of enjoying the *otium cum dignitate* of the Bench, and the ease and abundant income which would thus have been secured to me in my old age. But for the abandonment of this prospect, the people of Ireland have amply indemnified me; and it is my duty to exert every power I possess to procure for them in this House representatives of their wants and their wishes—to exclude from this House, whenever I can, those who are indifferent or directly opposed to their interests—and, above all, to exert all my influence against those inhuman creatures who, deaf to the widow's tear and the orphan's shriek, can smile amidst the woe and wretchedness they have created about them, and who, whilst human beings fall and perish at their very threshold, think only of the triumph of their party, and of their individual importance. I am upon the question of influence. Let me state to the House the real facts which occurred at the election for Carlow. The statement will not occupy much time, and I think it will be found to be instructive. In the election which took place just before the Reform Bill was passed, Sir John Milley Doyle and Mr. Blakeney, were returned for the county of Carlow. So strong at that time was the excitement of the county, that the old Orange Tory interest did not dare to enter into a contest. Sir John Milley Doyle and Mr. Blakeney, therefore, were returned without opposition. On the throwing out of the Reform

Bill in the House of Lords there was another election, at which, after a short contest, Mr. Wallace and Mr. Blakeney were returned; but the moment that the contest began, a cruel scene of persecution was commenced on the part of the Tory candidates. The present Motion attempts to get rid of that. The new-made Member for Bradford has no heart for the weeping widow or starving orphan. Is this irrelevant to the present matter? Oh! the irrelevancy of the widow's cry; oh! the irrelevancy of the orphan's tear. Ye are all lovers of right and justice, but the moment an appeal is made to the most endearing ties of humanity, that is irrelevant. I will not weary you; I may mention, however, that at the election at which Messrs. Wallace and Blakeney were returned, a system of persecution and cruelty was carried on to a horrible extent by the Tories. I can prove, by the statement of Mr. Vigors, that there were at that time 1,100 individuals turned out from their houses and homes—that there were 193 widows, and I cannot tell how many orphans, driven from the shelter of their homes, by the cruel, the bitter, the horrible and unrelenting hostility of the Tory landlords. I put it to every English Gentleman who hears me, whether he will shut this out of the inquiry? Of what materials can you be composed if you resolve to shut these proceedings out of the inquiry? I am ready to prove these things at the Bar of the House or before a Committee. Both Messrs. Wallace and Blakeney having, under the circumstances I have described become Members for Carlow, another general election shortly took place—the election which followed the election to office of Sir Robert Peel and the duke of Wellington. See what the state of the county of Carlow was at that time. Two men, the present Members for the county, determined to support the new Administration—an Administration which took part with that interest in Ireland which was opposed to the views and wishes of the great majority of the people—an Administration during whose brief existence the "No Popery" flag waved over the head of the Lord-lieutenant as he sat in the theatre at Dublin, and during whose brief existence the right hon. Gentleman, the Recorder for the city of Dublin, and his hon. and learned Colleague in the representation of the University of Dublin, together with the right hon. Mr. Gregory, all decided enemies of the Roman Catholics, were made Privy Councillors. Here, then, the triumph of Orangeism was for a time complete. But the triumph was a brief one; and it is fortunate that it was so; for, laugh and sneer as you will, if the people of this country had been so misguided as to trust to that infatuated party a continuance of power, Ireland would have been convulsed in such a way that every man of property and intelligence would have been found in the popular ranks. When this party first came into power, a Conservative fund was formed in the county of Carlow, at which a large amount of subscriptions was received, to carry on the warfare of the elections. Is there a man who doubts that large sums of money were subscribed by the Conservatives for this purpose? When you talk of the purity of election, let us see what the purity of the Conservatives has been. Let us have a full inquiry, and let us see what money has been subscribed, for what it has been subscribed, and in what manner, and for what purposes it has been expended. Let not the hon. and learned Member for Bradford come forward with his studied and well-prepared sentences to ask for a limited inquiry; but, if his intentions be sincere, let him join with me in probing the evil to the bottom. If the hon. and learned Gentleman will do that, I will undertake to prove that subscriptions to a very extraordinary amount were got together by the Carlton Club for the purpose of carrying the elections in different parts of the kingdom. Let those who doubt it but give me the opportunity of producing my proofs, and I will change their doubts into conviction; if, indeed, they be open to a conviction of that which they are unwilling to believe. Well, in Ireland this plan was carried on with very considerable success. How did the present Members obtain their seats for the county of Carlow? Let the inquiry commence, and you will have from every part of that county abundant proof of the means by which those seats were procured. You smile at this. If you knew all you would tremble. The whole of Ireland was assailed by the Conservative party. Carlow was attacked by two men of fortune—one having large property in the county, the other known to be a possessor of very great wealth. These men entered into the contest, determined at any expense to carry their election. Under these circumstances Mr. Blakeney retired from the contest, and Mr. Wallace would not promise to come forward. Thus the county was left without a candidate in the Liberal interest. If it be a crime to seek for a candidate—I was guilty of a crime. I sought for a candidate—I sought for two candidates—I sought in vain. For the first time, under these circumstances, Mr. Raphael introduced himself to me. This was at the general election which took place after the accession of Sir Robert Peel to office. His agent, Mr. Pearson, wrote to me upon the subject, stated that Mr. Raphael was High Sheriff of London for that year, and gave him a high character for respectability and political integrity. I had never heard of the man before. He proposed that he should stand as candidate for the county of Carlow, declaring that he would instantly purchase a large estate in that county (if there should be one to be purchased), if he were returned a Member for it. I answered Mr. Pearson's letter, and I will insist upon having my reply to that letter laid before any Committee that shall be appointed by this House. That was my first step—for this thing has been taken up by the hon. and learned Member for Bradford as if the 28th of May was the first time I ever heard of Mr. Raphael. Indeed, the hon. and learned Member does not appear to have read my answer which was inserted in the papers, if he had, he would have seen that Mr. Raphael admits that the 28th of May was not my first acquaintance with him on the subject of an election. I stated to Mr. Pearson what my views were generally, and as to Carlow I stated particularly that I would make further inquiries and give him the details respecting an election for that county. I told him that it could be ascertained what number of electors would vote for Reform candidates, and what number for Tory candidates; that by the result of the Committee of this House, the balance was in favour of the Tories, and that unless certain men would add their interest to the Reformers, in order to outnumber the Tories, Mr. Raphael ought not to stand. I got a letter from Mr. Pearson, telling me that Mr. Raphael had offered to stand as a candidate for Pontefract, that he was High Sheriff of the city of London at the last general election, and that he had stood as candidate for Leeds. However my opinion of Mr. Raphael may be altered now, I knew nothing of him at that period to his disparagement, nor do I know any other disparaging circumstance of him now except this transaction. My excuse, then, towards the county of Carlow, and towards this House, for recommending him to be the Member for Carlow is, that at that period I had heard nothing derogatory of Mr. Raphael. Mr. Wallace declined to become a candidate at the general election, whereupon, so strong was the popular feeling against the present Members, that there started up as a candidate a young gentleman who had just gone through his courses at the University —a Mr. Cahill. He added the name of my eldest son with his own as a popular name, but who had been already returned for Tralee, and did not therefore, want to be returned for Carlow; but the reformers stood a contest of four days under those two names against the sitting Members. This I state for the purpose of showing the House how strong the popular party are in that county. The sitting members were returned; their return was petitioned against, and this was the case proved against them. It was proved that the county voters had not been exhausted at the close of the election. Why were they not? Because the law agent of Mr. Bruen put the long oath to every voter that came up to vote for Mr. Kavanagh; and the law agent of Mr. Kavanagh put the long oath to every voter that came up to vote for Mr. Bruen. Was that all? No. The agents for the popular party feeling a repugnance—it is only the sanctified man who does not—at this profane use of the oaths, said to the agents of Bruen and Kavanagh, "We know your object—your object is delay; you gain three minutes between every second vote. Now we will give you those three minutes, but don't put the oaths." That was accepted. What does the conscientious Member for Bradford think of that. What was the next step? The next morning the agents of Bruen and Kavanagh said "three minutes are not enough—we can wear out five; and if you do not allow five minutes between every two voters we will put the oaths." It was found by experiment that they could wear out five minutes, and accordingly they got five. Well, they found that even five were not enough, and wanted to extend it to six or seven; but the opposite agents would not give more, so the other party continued, after a short interval, to put the oaths, until they actually entirely put the county out of court. To me, who love the democratic principle, it is a most deplorable thing that those vexatious proceedings—whatever money might be paid for them—should have taken place at Carlow. The hon. and gallant Member who has lately presented a petition against me, challenged inquiry. I challenge him. Let him come before a Committee. I can prove that there was a contract between him and Mr. Kavanagh to adopt this system. I will not pledge myself to the House, but I should like to examine him upon that point before a Committee. There never was anything in the history of contested elections so outrageous. Well, Mr. Vigors, having stood a contested election against the brother of one of the sitting Members for the county, for the town of Carlow, in which he was defeated, finding, under the circumstances I have just stated, that a petition against the county Members could be so strongly supported, brought the case before a Committee of this House. They proved the facts I have mentioned; the election was set aside upon that account, and a new writ was issued. Now, the House may wish to know what was the first step which the elected Members, Mr. Bruen and Mr. Kavanagh, then took. Mr. Austin was counsel for the petitioners—the successful counsel; and mark, the very moment the Committee decided that they should be unseated, that very instant Mr. Austin was retained by them for the petition that was to follow the next election, thus marking the determination to bring the case again before another Committee! Now I ask the House, did they ever hear of such a proceeding as that. And do you wonder, now, that the gentry of Ireland, who play such pranks, have not any authority there, and that he who stands up against them, and for the people, has power and influence in that country? I implore of you take away that influence! You can have it in one moment by doing justice to Ireland; but by continuing injustice to Ireland and injustice to me, you only augment it. Well, that was the situation of things. Was I wrong, then, in looking out for a candidate to oppose that party? Mr. Wallace had given little, I believe nothing, towards that contest and the petition. Mr. Vigors had had the misfortune to be before a Committee, and any gentleman who has been twelve or fourteen days before a Committee of this House knows what a quantity of dry money (as it is called) is required on such an occasion. Mr. Vigors, who, although a gentleman of independent circumstances, was not so rich as the Members for the county, had expended money enough. Here, then, was a county vacant, and the popular detestation excited by the outrages that had been committed on the unoffending Catholic peasantry by the Tory landlords. What would the House think, when a remonstrance was made to the agent of one of those landlords against the cruelty of these proceedings, and when he was told that the persecuted peasantry who were ejected from their homes had nothing to eat—what would the House think of the answer that was made?—"Let them eat each other." That fact is denied, I admit; but give me a Committee, and I tell you I will prove it. That was the situation of the county of Carlow when the new writ was issued, I had been written to by a most influential person in the county of Carlow on the subject of the election. But it was not enough to have candidates, because with that generous and popular self sacrifice, which is so familiar to the cheerers of the hon. and learned Member for Bradford, who only think of patriotism, and never think of the pounds, shillings and pence which a contested election costs, candidates of the Tory party were already in the field. Alas! Sir, pounds, shillings, and pence are absolutely necessary. I sought but one gentleman in England who would become a candidate for the popular interest. We wrote to Ireland, and did all we could to procure another candidate; but we were not able to find one who would face the candidates on the other side, after the determination that had been exhibited, that all opposition was to be worn out by expense, and that there was to be another election petition. Under these circumstances what occurred? Why, pending the writ, Mr. Raphael, as Sheriff of London, came to the Bar of this House with all his paraphernalia of office. I saw him received by many hon. Members in the most friendly manner. He spoke to me in the kindest terms—he wrote to me in the kindest and most flattering terms. People, indeed, had told me, more than once, that there was no relying upon him—that he was a faithless person. Why, Sir, I confess I never believed it. He was the first Catholic who, for 300 years, had been Sheriff of London. In Ireland for forty-five years—I wish the House to mark this—in Ireland for forty-five years Catholics had been capable of being members of the Corporation of Dublin; and yet, during those forty-five years, not one single Catholic was made a member of that Corporation. Now, recollecting that fact, and seeing that the Corporation of the City of London had elected Mr. Raphael their Sheriff, I put this question to the House—if it be true what his calumniators say of him, why did they not come forward and state it at the time of his election in their Common-hall? But, instead of being accused, he was lauded. I found him then the Sheriff of the City of London, expressing the strongest feelings with respect to Ireland, and the strongest anti-Tory sentiments. Why should I listen to his calumniators? Don't I know what calumniators are? Is it new to me that calumniators are liars of the worst description? Why, for the last thirty years, no living man has been half so much assailed as I have been. Six times a-week in three Dublin papers, twice a-week three papers in Dublin, once a-week four papers in Dublin, have been assailing me with calumnies. I confess, therefore, that I disregard calumniators, and I did disregard the calumnies against the first Catholic Sheriff of London. But what had he been doing? He had been in constant communication with Mr. Vigors and the Reform Carlow Committee (I mean those who were attending the Committee of this House in London), telling them that he would become a candidate, and promising to become the purchaser of an estate in Carlow. Under these circumstances, where is my personal turpitude because I took up the cause of Mr. Raphael, and recommended him to the county of Carlow against the Tory candidates. I took up the cause of the High Sheriff of the City of London, and recommended him to the county of Carlow as a fit and proper candidate. Is there any turpitude in that? I am now separating the two parts of the case—the personal grounds from the pecuniary grounds. There is my case as to personal grounds; and is there any man in this House who will tell me that Mr. Raphael was not as fit a person to represent the county of Carlow as either of the present Members? One of those hon. Members has an hereditary estate. It is said that he is descended from Macmurrough. He is certainly of high genealogy, and of large fortune; but these do not give him a feeling for wishing the people of Carlow to be in a better condition—these do not qualify him to represent their wants and their wishes. The other hon. Member is a Gentleman whose father purchased lands in the county of Carlow, who was a successful Commissary in the American war; but does that give him a title to trample on the people of Carlow. Mr. Raphael was a gentleman who was abundantly able to purchase land in that county—who had told the people that he would make such purchase—who was High Sheriff of London—who had proclaimed his attachment to those principles which I prefer, and who had even in his written declaration stated that he would go as far as I would for the good of Ireland. That declaration contained nothing but an unequivocal abhorrence of the principles of a Tory Administration, and an unequivocal adherence to a Liberal Administration. I put it to the House and to the country, whether I was in the slightest degree criminal in adopting that man? Had he been in this House at this moment, is there any man to reproach him? Why, he was in this House, and was met by every Gentleman as an equal, and was treated by them upon full terms of equality; and I want to know whether an English merchant, who has acquired property in trade, is not to be treated on the footing of a gentleman? Why, is not that how all large properties are realized? Is trade any disparagement? Well, Mr. Raphael set up to represent a county. He was a member also, it seems, of Brookes's Club. He had gone through that ordeal; and, therefore, I do laugh to scorn all those who say I did wrong to support him as a candidate for the county of Carlow. I do candidly admit that I did not do it till I had exhausted Ireland. There was a family in Ireland with whom I was at personal warfare at the time. But I forgot my resentment. I said to one of that respectable family, I think some of your relations have treated me ill, but I don't care one farthing about that; stand for Carlow, and I will go with you from door to door to secure your return. He declined; and then, as a last resort, I adopted an Englishman, under those professions which I have already stated. And that is my situation. Now, whatever turpitude is attached to that, let it be so! Let the hon. and learned Member for Bradford say in what he was Mr. Raphael's superior at that period? What! was he not once Member for Carlow? And I ask this fearlessly, at that period what was there about Mr. Raphael that made him in any degree the inferior of the hon. and learned Member for Bradford? Nothing—nothing at all. He would, 'tis true, have voted the same way with me; but should I have recommended him or any man if he would not. His principles were known. He had written them, and put them in print. I am quite sure that if he had gone from that pledge he would have heard of it both here and elsewhere. Therefore, on this part of the case—the personal part—I stand upon these facts. Let any Gentleman put his hand to his heart, and say, notwithstanding I have been the stock in trade to nine-tenths of those I see before me. What! no! Had you a dinner—had you a public meeting at which I was not your stock in trade? Who was your constant theme? It was not the hon. and learned Member for Bradford. And yet, when I recollect what occurred between him and me—we happened to be in the Temple together—when I met him afterwards, I confess the recollections of early youth came over me, and I regarded him with feelings of personal friendship—I greeted him, as one of my earliest acquaintances, with a warmth of heart which he affected to return. Yes, I will do him the justice to say he affected. What did I hear next? Why, that he had got some persons to give him a dinner at Leeds before this Raphael affair happened at all. [Mr. *Baines:* Not at Leeds.] Oh! well I perhaps read it in *The Leeds Mercury*. I suppose it was the hon. Gentleman's own—but I wont call it by that familiar and savoury name. But what was my surprise to find that the man whom I had treated with the warmth of friendship—well, I don't care—what was my astonishment to read a speech he made there, in which he alluded to the religion I respect, and treated it in the lowest terms that could possibly be used! Not only was there a spirit of fanaticism running through that speech, but there was a most gross personal attack upon myself. I have the newspaper, and can produce it, containing the speech, stating that all my politics were mercenary. I read it and marked it at Brookes's three or four days ago. I put it to him whether, in assisting Mr. Raphael in the county of Carlow, under the circumstances stated, I did anything unbecoming the station that I bear towards the Irish people, and the station that I bear as a gentleman? By birth, by education, and in everything, but in one unfortunate event (and for which let me suffer the taunts of the world for avoiding its recurrence), I am his equal; and even when I say that I bow to the House—but, I ask how I have degraded myself in the slightest degree from that station? What have I done inconsistently with my station to the people of England, or the people of Ireland, in bringing forward Mr. Alexander Raphael to the consideration of the Irish constituency? So much as to my personal corruption, as it is called. Am I to blame in endeavouring to get two votes on this side of the House? Am I to blame in wishing to throw out the present Member for the county of Carlow? Of one of them I say nothing; but the other I hope will come before this Committee, where the facts can be inquired into, and where he must either clear his character from the most horrible imputations, or the Committee must place him in that situation in which he ought to be placed, if he be guilty of what is publicly charged against him. I only demand inquiry at the same time, stating distinctly that I have not the least fear of producing a list of evidence which will demonstrate the truth of those charges [*call of question by Mr. Scarlett*]. I am obliged to the hon. and learned Member who cries question. I put it to the House whether I have not, though at some length, confined myself to the first question—personal corruption. I now come to the pecuniary corruption. I don't want a pigmy or a giant to acquit me of that charge. There is not a man in or out of this House who does not feel that I am totally free from the slightest taint. I defy calumny. I defy the charges of those who read selected letters, and rest their charge upon particular passages. The hon. and learned Member for Bradford says he never heard of one man undertaking for another. Why, surely he has not forgotten his professional mind? The very word used "guarantee" is the very word which one man uses to answer for another. What are the facts? During the Election Committee Mr. Raphael was in constant communication with Mr. Vigors, and with the county of Carlow. He had written me a letter, without announcing to me that he had written to Carlow. He happened to be present with Mr. Vigors, at the Zoological Society in Regent Street. A messenger arrived to announce that the Committee had declared the election void. Mr. Raphael instantly said to Mr. Vigors, "I am your man!" They talked of terms. Mr. Vigors stated, that it was absolutely necessary that funds should be furnished to meet the legal expenses of the election; for, said he, "I am now exhausted." Mr. Raphael spoke as to the amount. He thought 2,000*l.* a large sum. Vigors then said that he must be off to Ireland, and asked whether Mr. Raphael could not name a mutual friend to conduct the transaction. Raphael named me. Now mark—I tell the House that I will prove that distinctly. I had it from Mr. Vigors's lips; Mr. Vigors has written it, and I only implore the House to carry this with them, that throughout this tissue of slanders by *The Standard*, *The Times*, and of every body else, Mr. Vigors's conduct has not been impeached by any human being as to his integrity and honour, as a man and a gentleman. Now that was the strongest point which could be attacked, if those newspapers could have tarnished the character of Mr. Vigors, when he came forward with that most unequivocal declaration contained in his letter to me, and I now ask the hon. and learned Member for Bradford how he could avoid noticing that declaration? The very moment Mr. Raphael published his letter, Mr. Vigors stated that I paid every farthing to him. What was the meaning for suppressing that fact? The hon. and learned Member for Bradford was a Recorder for a time. What an admirable Judge he must have made, if having heard one part of the case, he left out all the rest! I am ready, before an honest House of Commons to enter into a full inquiry; but to decide upon a question where you have taken only one part of the case, and totally omitted all that has been said on the other side—I will say it is not English. It is un-English to the last degree. I know it is said of the contests in my country, that every body who comes to take a part, is waiting to see which is the weaker, and which is the stronger party, and side by the stronger; but in England, when two persons are found fighting in the street, everybody comes up to see fair play. I admit that there is that distinction. But the hon. and learned Member for Bradford, although knowing all the facts well, yet had suppressed every fact that told in my favour. [*Ministerial cheers.*] Good God! What was the meaning of those cheers I heard from those benches (the Opposition) when the hon. and learned Member made his statement? Are there more Englishmen there than the hon. and learned Member for Bradford? Englishism is banished [*oh!*]. I like that groan; it well becomes the hon. and learned Member for Norwich—aye, from the Member for Norwich.

Mr. *Scarlett*: Mr. Speaker—[*order! chair, chair*].

The *Speaker*: If the hon. and learned Gentleman has any observations to make, he will have the opportunity for making them when the hon. and learned Member for Dublin sits down.

Mr. *Scarlett*, Sir, I beg to say that I did not—[*order, order, chair, chair.*]

The *Speaker*, Does the hon. Member rise to order? I think he is speaking merely because he considers himself to have been personally alluded to. If so, he will have an opportunity to make his observations when the hon. and learned Member has sat down.

Mr. *Scarlett*, I rise to order Sir. It was, however, my intention to preface what I had to say, by declaring that I did not give any groan nor any exclamation at all. [*order! chair!*]

The *Speaker*, The hon. Member is quite aware that he cannot rise for the purpose of making any observation.

Mr. *Scarlett*, I assure you, Sir [*order! chair!*]. I hope I may be believed when I say [*chair, order,*]—The question is this —I wish to state [*order!*].

The *Speaker*, Mr. O'Connell.

Mr. *O'Connell*, I am sorry I have given the hon. Gentleman so much uneasiness. I am sincerely sorry I mistook him. However, I did not mistake him in calling "Question" a while ago. Well, Sir, I have stated that part of the case that relates to pecuniary corruption. Now I beg to remind the House, that at the period in which the question arose as to the amount to be given by Mr. Raphael towards the expenses, counsel were retained by the rejected members for another petition. And here I have to complain of the hon. and learned Member for Bradford, who, in putting this case of pecuniary corruption, did not tell the House how Mr. Raphael's share of the expenses was paid. He could not have a contest in a county in Ireland for five days, nor even the appearance of a contest, without incurring expenses. Is not *that* manifest. Was any one ever engaged in a contested election who had not money to pay for legal and necessary expenses. Now, when I stated to the House the conversation between Mr. Raphael and Mr. Vigors on the 28th of May, I also stated (and I am ready to prove it), that my name as the depository of the money was first mentioned by Mr. Raphael. Mr. Vigors then came to me, and stated that it was impossible for him to go to the contest with a less sum than two thousand pounds. My answer was, that it was not likely two thousand pounds would be given for the mere chance of being returned; but that if he could get one thousand pounds to be joined with money of his own to pay the expenses of the contest, then he would be entitled to be reimbursed any extra expenses which the contest might lawfully put him to; and if there was any surplus remaining over, there were the widows and orphans of those who had fallen victims to the merciless conduct of the landlords, and whose wailings and screams were in vain assailing the ears of their oppressors for bread to keep them from starving. But as to a petition against the return, there was no doubt there would be one, because Mr. Austin had already been retained by the unseated Members; so that they must have a contest, or a show of a contest, in order to have afterwards a petition. Well, Sir, there was a contest, and there was a petition. Is there any evidence of the slightest allegation that I was to get one penny of the 2,000*l.* for myself? Where is the allegation? I challenge the hon. and learned Member to read that allegation. Has Mr. Raphael made it? He has not. He has said directly the reverse. In one of my letters I said—"Return me this letter, as it vouches 800*l.* for me." But where has the hon. and learned Member found the allegation? He has not made it—I do him the justice to say he has not made it. The party by whom he is supported shouted him on to make it, but he has not made it; and I defy any man to make it, who reads the documents that have been published. Mr. Vigors remained in London during the Saturday after the decision of the Committee, to see whether I could arrange between Raphael and him. The Carlow men also remained till Saturday, to see if an arrangement could be made between Raphael and Vigors. On Sunday it was imperative on Mr. Vigors to be off to Ireland. On Sunday, the 31st of May, Mr. Raphael, after declining to see me on the Saturday, saw me; and on that day he agreed to give for the legal expenses of the election 1,000*l.*; and to give, the moment he was returned, another 1,000*l.*; and the only question which the House has to ask is, whether these two sums have been given for a legal or an illegal purpose. The hon. and learned Gentleman has not this night ventured to say that they were given for either purpose; but, by supposing cases, he says that these things may be turned into improper uses. What may not be turned into improper uses? But I want to know what sort of a Recorder the hon. and learned Gentleman would be, if, instead of trying the case that was before him, he tried a factitious case—an imaginary one—not before him? What the hon. and learned Gentleman might have paid at Pontefract for legal or illegal expenses cannot be ascertained. But it is not because money is paid that bribery is committed. There are legal expenses at elections; but under the pretence of paying legal expenses, illegal ones are often paid; hence bribery and corruption are often included under the pretence of paying legal expenses. Indeed, all bribery is committed under this pretence. Nobody says boldly and at once—"I will bribe!" But to judge by what *might* happen is nothing—it is absurd. It is not only ungenerous, that is not the word, it is infinitely harder; yet this is the species of calumny with which they come out upon me, and make a charge against me—not because anything has happened, but because something *might* happen. I may be asked, why did I agree that Mr. Raphael should pay the specific sum of 2,000*l.* My answer is, because that was the wish of Mr. Raphael himself. He told me that he had stood for Leeds and Pontrefact, and had paid on both occasions more money than he was told he would have to pay; and when did any hon. Member on the other side ever enter into a contested election who had not more to pay than he was told he should have to pay. Under these circumstances, Mr.

Vigors was satisfied that the liability of Mr. Raphael should be limited; and it was limited. He indeed lodged 4,500*l.*, with a Mr. Poole, in Salisbury-street, Strand. But the particulars of that transaction are gone out of my mind. However, the stipulation made by me for Vigors was, that Raphael's expenditure should be limited to a specific sum. Now, I put this question to the House—Am I one shilling the better for all this? Nay more, did I retain one shilling of the money a moment beyond the time it was called for? The day after the conversation between Raphael and Vigors, the latter left London for Ireland. That was on the 31st of May. On the 4th of June I received a letter from him, which I communicated to Mr. Raphael, with his details of the election proceedings. But was I to get one shilling of the money? Whose money was it? I sent 500*l.* by a check, and 300*l.* by a draft, to Mr. Vigors in Ireland, before I was asked for it: and the only delay I ever made in the payment of it was, when a gentleman, an agent, asked me at seven o'clock in the evening, at the door of this House, to pay him the balance due to him; I told him that if he would come to me in the morning, at eight o'clock, he should have the money. He came, and I gave him the money, and by mistake I gave him fifteen pounds over the money that came into my hands from Raphael. Oh! if after this any man says I was to get the money let him state it. Let it not be insinuated, but let it be said. And let that man say it at his risk, that I was to get one penny of it; that I was to be tarnished, as the petition from Bath says, with one farthing of it. Never was a poorer or more unfounded insinuation. I want no Committee on this point. Can any man show me an allegation even that I had any part of this money? Raphael was disappointed. He is my enemy: I am not his friend, certainly. He has given utterance to many many foul falsehoods. I have stated that already, and I repeat it here; but I defy him, I call upon him, I taunt him with his inability to state that which he has never yet stated, namely, that I ever received, or was promised one penny of this money. Is it not cruel that I should have to defend myself, then, from insinuation. I put it to the mind of every honest and honourable Gentleman, whether any thing can be more cruel than that accusation which is not embodied enough to be boldly asserted by anybody, which nobody dares to utter, but which the baseness of party induces a man more basely to insinuate? Now, Sir, I was not to get any of this money when it was originally placed in my hands; did I keep a penny of it?—did I detain a farthing of it?—Did I?—Have you not the evidence of Mr. Vigors, who states that I gave him every penny? And this evidence is to be overlooked—this evidence is to be kept out of sight—and I am to be arraigned before this House in good set and round terms, and beautiful impromptus are to be made, excellent jests retailed, and even Scripture is to be quoted against me. I did not get one penny of the money. Yes; who dares to say I did? Nobody! Who says I did not have, and was not to have, one penny of it? The unimpeached and unimpeachable Mr. Vigors—Mr. Vigors, the man whom nobody depreciates—the man whom every one admits to be among the most respectable gentlemen in the community. I defy party spirit, even in Carlow—even in Carlow, where it runs in the kennels,—to bring one single charge, or solitary accusation, against the character of Mr. Vigors. I feel on this occasion, as it is natural I should, after the loads of calumny which have been cast upon me—the obloquy and slander that have been heaped upon me—the ingenuity which has been used to pervert every fact and circumstance against me. I appeal to every honorable man who hears me, and the mind of every honourable man will readily furnish an excuse for my dwelling on this part of the subject. I was not, I say again, to get one penny of the money; I did not get one penny of it; I would rather die ten thousand deaths than have any man state, with the slightest colour or appearance of foundation—though no man has done so yet—that I was to get one penny of the money, or that any man should have the least colour for stating that I did actually get one penny of it for myself. Having been the agent between the county of Carlow electors and Mr. Vigors, and this sum of 2,000*l.* having been obtained, the House has a right to inquire whether it was employed by any individual in furtherance of any bribery or corruption, or for any improper purpose. Now, who is the man who says it was? Who is it who says it was? Who is it who does not know what it really was for? Mr. Vigors has stated in his petition that he got the money, that he is responsible to the House for its expenditure, and that he is ready to show how he spent it. And what does the hon. Member for Bradford do? Leaves out Mr. Vigors's evidence, and the application of the money altogether. The hon. Member for Bradford has the resolution—I will call it by no harder name—to propose to this House a motion for an inquiry, from which the question of the application of the money shall be altogether excluded. Good God! was ever anything heard so outrageous? What do I want? Full, fair, and impartial inquiry into the application of every penny of that money [*"Hear, hear!" from Mr. Hardy*]. I thank him for that; why did he not put it in his resolution? He cries "Hear, hear!" now, but it would have been better, for the accommodation of his conscience, had he included it in the resolution he originally proposed. The election commenced somewhere about the 18th of July; there were five days' polling, and one day's nomination; there were three booths in the county, and the deputies and officers of those three booths. The full sum for all this expense that Mr. Vigors had to account for is 1,000*l.* Is there any man in this House who doubts that 1,000*l.* was actually spent in defraying these expenses? Well, then a petition comes on, another 1,000*l.* is advanced. Does any man doubt the extent of the demands on that 1,000*l.*? What is Mr. Raphael's case? Mr. Raphael's case is—and this is the only point I would wish to have left to arbitration—the only one I would leave to the arbitration of any gentleman of any party in this House—Mr. Raphael's case is, whether by the guarantee I gave to Vigors, he was bound to go on with the petition at his own expense, after the 1,000*l.* was expended. The question arose; Mr. Vigors decided it against himself; and then Mr. Raphael, against my advice and Mr. Vigors's entreaty, changed the solicitor, appointed a solicitor of his own, and went on for seven or eight days in a hopeless controversy before the Committee. Why do I state that? To meet the case of Mr. Raphael out of the House, for in the House his case is, that the entire 2,000*l.* was expended, and that he expended more besides in legal expenses. I have trespassed at considerable length upon the House, but it was my duty and my right. Now let me sum up. As to the personal corruption—a point upon which the hon. Member for Bradford made a digression to the Monboddo tails, and the impromptu which called forth the impassioned and vehement cheerings of the hon. Gentlemen opposite—as to the personal corruption in procuring and assisting Mr. Raphael to sit for the county of Carlow, I am perfectly free from censure, or from blame, or from the reprobation of Parliament. As to the 2,000*l.* pecuniary corruption, if the hon. Member for Bradford had been allowed to go on, according to his own opinions, I should not have heard of it at all: he has, however, made that charge, but even to-night he has not distinctly persevered in it; and even if he had, it is refuted, not only by the petition, but by every document in the case. He talks of possibilities, however; and having defeated him on the realities of the case, I will now meet him on the possibilities. The hon. and learned Member says, this money might have been applied to certain purposes. Might! He must take the circumstances of the case. Was there not abundant room for expenditure in the situation in which the people in the county of Carlow were placed, and in the distresses of the poor? And am I to be shut out from proving the reality of that expenditure, and the magnitude of that distress, in order to show the utter impossibility of one penny less being spent by any body? Now, Sir, I come back again—after I have been hunted through the newspapers for six months, after I have been the theme of every Tory meeting, every Tory dinner, and every election that has taken place, I ask the House whether it is not unbecoming a man to give the slightest countenance to charges of this kind, when all I ask is, a full, complete, fair, and fundamental inquiry? I then mean to ask more. Let that inquiry be made by fair and honourable men. I say by fair and honourable men; for men who are fair and honourable for other purposes, are not so when they have political or personal interests of their own involved. I see before me not judges but accusers, not jurors but partisans, not arbitrators but persons interested, humble as I am, in putting me down. It may be vanity in me to suppose so, but can I avoid that vanity when I read the newspapers for the last six months, although I see the men who condemn me behind my back sitting opposite congregated together, and disclaiming any intention to pack the Committee against me? Now, I will not be put down by an attempt to pack the Committee. I will not submit to it. There has been a Committee agreed upon, I am told, and that arrangement has been broken off. All my life I have been battling—and one of the misfortunes of Ireland is, that all my life I have been battling against faction, gamblers with the loaded dice, who have the chance in their own hands. Am I to submit to a Committee of this description? Oh, I entreat you, hon. English Gentlemen, who may be led away by party—I regret that I cannot carry the adjuration further than England and Scotland—I call upon hon. Englishmen and Scotchmen to protect me against a packed Jury —a packed Jury determined not to try, but to convict me. As to my accuser himself, I have no objection to his being my accuser, but I have the strongest objection, from the manner in which he has treated me, to his being one of my judges. Yes, I have; and it was on this account that I alluded a while ago to O'Sullivan. The hon. Gentleman was one of those who made that attack on the Catholics of Ireland, on which they were shut out from any defence, unless indeed they sent over to Ireland to the Catholic Bishops for authority. Now, when I know this, when I hear the hon. Gentleman's speech, when I see him coming forward under pretence of neutrality and attacking me, and when I see acts of injustice reiterated in his place, and repeated at a dinner at Bradford, I own I would rather be tried by a certain black gentleman who holds his court in a certain warm region, than I would by the hon. Member for Bradford. No; I am before the English people, and to them I appeal. I am the enemy of every corruption; I am for searching through and exterminating it. But let us not have the mockery of a single case. I call upon you now to act; the time is come—the Parliament is reformed — the benefits of the Reform Bill can be lost only by corruption. Let us go into a full inquiry of the monies expended by the Reform Association on the one hand and the Carlton Club on the other. Why the people of England are entitled to it. I want it for them. Let me have the happiness of exposing this to the people of England, which I state to be the fact—that at the last general election corruption and bribery reached to a height before unparalleled and unknown. Men both in the law and the army were sent to every accessible place, and money in treasury franks was received to carry on the war. The old freemen were engaged again for the purpose of supporting men — there happened to be such candidates, but not returned—who had not one single qualification of legislators or statesmen, and who did not possess either the public or private character which would have warranted their return to this House. Let us have these things inquired into. Why talk to me of the mote in my eye, when the beam is in your own? Meet me firmly and fairly. Give me a Committee, and let me have the evidence printed and laid before the people of England. Give me the Committee, and I will put a notice on the paper before we leave the House to-night, of my intention to move for leave to bring in a Bill—mark this, assist me to pass it — to indemnify all the witnesses except myself, who shall give evidence before any Committee of this House of Commons, from all suits, actions, and indictments, by reason of anything contained in their evidence. The hon. and learned Member for Bradford, now so anxious on this Motion, was one of the lawyers who were the most anxious of any in the House to prevent people committing themselves in the Great Yarmouth case. "Do not criminate yourself," said the hon. and learned Gentleman to every witness. Why should not a man criminate himself? It is useful to criminals, but it is useless for the purposes of justice. If it be an English privilege, have the benefit of it for indemnity, but not for absurdity. I challenge you all, cheerers of the hon. Member for Bradford there, if you are as pure as you insinuate by that cheer, to come with me to the ordeal, join with me in the Bill of which I have just expressed my intention of giving notice; let every man be indemnified for every thing connected with his disclosures before a Committee of this House, and then make it punishable as a misdemeanour to make a wilful or corrupt statement before any such tribunal. At present it is no offence at all in civil law; make it an offence and join with me in this Bill. I will detain the House no longer. I feel that I have subjected myself to the accusation of having improperly supported Mr. Raphael; thus have I defended myself against the charge—not the charge, but the base insinuation—that I have one farthing of pecuniary corruption to defend. I am already acquitted by the verdict of the English people, and I am sure to be by this House.

Mr. *Walter* said, the learned Member had spoken of the public press, and by an allusion, had connected some portion of it with a Member of that House, by which Member he found the learned Gentleman was understood to mean him. He should have little to say in reply, because he was very certain, and so must be the learned Member, that he had no authority for his assertion. He could, however, assure the learned Member that he was much better satisfied with his attacks in that House, than with his menaces out of it—of which there had been plenty—among his dignified followers. It might, perhaps, not have been quite safe to reply to him before those gentle personages; but in that House he could repel his slanderous insinuations without fear, except that degree of timidity which any one unused to speak often must feel. The learned Member overrated his own importance if he supposed that he (Mr. Walter) had ever thought it worth his while to make the learned Member the object of attack in any publication whatever. He was himself as well qualified as any one to judge of the effect of such attacks; for from the moment when, in compliance with a public requisition, he sought to obtain the station he occupied in that House, and in the county which he had the honour to represent, every species of libel had been heaped upon him by his political opponents; but those libels failed in his case, and if they had not equally failed in that of the learned Member, he could tell him why—and he regretted that the learned Member had left the House without hearing this part of his answer—because their characters were different. To him (Mr. Walter) these libels were mere matter of contempt, because they were false; they galled the learned Member for Dublin—they provoked his wrath in the House, his menaces out of it, for the opposite cause—he knew, he felt them to be true—and with this observation he would leave that branch of the subject. While, however, he repelled what he must call a most unwarrantable interference with himself personally, he hoped he should not be considered as setting himself above those honourable labours which had been the pride of his life, as well as the foundation of his fortune; but he was sure the House would perceive it would be unbecoming in him to obtrude further upon its attention his private affairs, which had been so improperly obtruded upon it by another. Now, with reference to the other part of the learned Member's attack—viz., the expenses of the Berkshire election, the learned Member had, so long ago as 1833, threatened in Dublin to make some grand exposure on the subject. Why had not the learned Member done so? Because he knew that he was incapable of doing it at the very time he uttered his threat. Great error and exaggeration had prevailed on this head, but it must be obvious to the House, that if there had been the slightest ground for charge against him, the matter would have been brought to issue at the time. But what had his election expenses in the year 1832 to do with the subject then before the House—viz., the sale of a seat last summer? The learned Member appeared to have received money in a way that he ought not; and, by way of making out a similar case, the hon. and learned Member charged him (Mr. Walter) with having expended money. He would not detain the House by dwelling on such contradictory absurdities. He had never attempted to seduce the virtuous innocence of the learned Member by any pecuniary offers; he therefore could not see what right the learned Member had to make any charge against him upon a subject of which he had not the slightest knowledge, and with regard to which, whatever he might fancy he knew, was totally wide of the truth and erroneous. Whatever he had expended, went from his own pocket. He had extorted nothing in pence from the poor and needy: his course, therefore, in that House was free and unembarrassed: he could support his opinion, and give his vote in such manner as his conscience might suggest to be the fittest. The object of his contest was to give beneficial effect to the Reform Bill, which professed to prevent the traffic in seats in that House; if the statements which they had heard were true, the object of the learned Gentleman had been to violate that Bill. Whether his (Mr. Walter's) object, or the object of the learned Gentleman, was to be carried into effect, depended on the decision to which the House might come upon this case. He hoped they had not destroyed

English boroughmongers in the detail, to suffer—what the hon. Member for Stafford had very properly called — a wholesale dealer for seats in Ireland.

Mr. *Wason* was compelled to complain that the hon. and learned Member for Bradford had disclosed what had passed in private conversation. He had certainly told the hon. and learned Member that he had some idea of proposing a resolution of instructions to be given to the Committee, and wrote it down before his face. The resolution was to the effect, that there be laid before the House, an account of the expenses of all elections since and during the last general election; that an inquiry be made into all the preliminary arrangements of the said election; that the whippers in on both sides of the House be examined; and that certain parties connected with the Carlton Club, who had been publicly accused of receiving and using money at those elections, be examined. Whatever might be the character of the present motion, one thing at least was clear—that no Committee could be appointed, under existing circumstances, which would inspire confidence. Whatever might be thought of the character of such a Committee within the walls of that House, the public out of doors would regard it with anything but respect. As a proof that this observation was well founded, he would beg to call the attention of the House to a paragraph which appeared in one of the newspapers of yesterday evening, the *Standard.* It was as follows:—"We must again warn the public to look steadily to the Committee to be appointed in Mr. O'Connell's case to-morrow night. Nothing but the artful packing of the tribunal of first instance can, we are persuaded, save Mr. O'Connell from the consequences of a full exposure of conduct, the lightest penalty of which, if the *primâ facie* evidence is to be trusted must be his and his son John's expulsion from the House of Commons." This, he requested the House to observe, came from one of the most respectable organs out of doors of the party opposed to those political principles to which the hon. and learned Member for Dublin gave his support. It must be obvious from that, as well as from various considerations to which he need not then more particularly advert, that the public never could be satisfied by the decision or report of any Committee; he was therefore of opinion, that the safe, proper, and satisfactory course would be, to examine evidence at the Bar of that House, and in his apprehension there was only one portion of any such evidence which could in the least affect the hon. and learned Member, and even from that he entertained not the shadow of a doubt that the hon. and learned Member must come forth fully and honourably acquitted. On all the other points he had already been tried, and a decision pronounced upon his conduct by an adverse Judge. By that Judge he had been unequivocally declared innocent. The hon. Baronet, the Member for Westminster was the Judge to whom he alluded, and he, as the House must fully remember, in his letter to Brookes's Club, pronounced upon the conduct of the hon. and learned Member as complete a decision of acquittal as could possibly be imagined, for he confined the whole of his accusation to the use of unbecoming language. Now, could they believe the hon. Baronet capable of confining himself to the paltry charge of mere language, if he could proceed upon any ground of substantial reality? No doubt many accusations of various kinds had been made against the Member for Dublin in reference to the Carlow election, but nothing could be plainer than this—that the hon. Baronet considered every one of the more material charges wiped away, or he never would have written a long public letter without the least allusion to them, nor would he have occupied himself with a matter of comparatively trifling moment when subjects of so very grave a nature presented themselves to his view. He (Mr. Wason) was therefore fully warranted in saying that nothing more remained to be tried. After what occurred, and was said in the Great Yarmouth case, as well as in other accounts, the Members who sat at the same side on which he did, were bound scrupulously to examine any petition relating to the purity and freedom of election which might come supported by the advocacy of hon. Members on the opposite benches, and if any reason could be added, to those which already existed, for instituting such examination, it might be founded on the fact, that the present was the only petition which had come to the House so supported; at the same time he could not help expressing a strong conviction that there was no Parliamentary ground for the proposed inquiry. He maintained it to be indisputable, that if there had been any political corruption, that if to-morrow the Committee were to pronounce the hon. and learned Member for Dublin guilty of a violation of the statute, the very next day informations would be filed against him for recovery of the penalties attaching to such an offence; but a decision of that nature, coming from any fairly-appointed Committee, could alone produce such an effect, could alone give rise to the hope of success in proceeding with such informations, for at the present moment the fact that no such informations had been filed was proof positive that no living man believed such a prosecution would be attended with success. Let any lawyer in that House state it as his professional opinion—let any man as a lawyer or statesman deliberately declare it as his opinion that such a prosecution could be successful, and he would acknowledge himself egregiously in error. He had never once heard any lawyer venture to say that in letter or in spirit the statute had been violated, and here was the anomaly into which they had been led—that of going into a Committee without one tittle of evidence to support a criminal charge against the hon. and learned Member for Dublin. They were going into a Committee to hear testimony as to whether the allegations contained in the petition of Mr. Vigors were or were not well founded.

Mr. *Warburton* wished to move a few words by way of amendment. He did not consider that the resolution went by any means far enough. It did not allow the hon. and learned Member for Dublin an opportunity of giving that complete refutation to the charges there preferred against him which he (Mr. Warburton) entertained no doubt he was in a condition to offer. The resolution was too narrow in its scope to allow the introduction of evidence to show the manner in which the money had been expended. He should therefore move the addition of the following words to the resolution as it already stood—"and the application of the money said to have been received, together with the circumstances under which it was received and expended."

Mr. *Hardy* wanted nothing but a full, fair, and impartial inquiry; but he confessed it did not appear to him that the amendment of the hon. Member for Bridport was in the least degree necessary; not that he had any objection to the introduction of those topics which the hon. Member for Bridport professed himself anxious to bring under the examination of the Committee, but because he considered his own resolution, as it stood, amply sufficient for such purpose. He considered it quite a matter of course that those subjects would be included within the inquiries of the Committee. If, however, the House were of opinion that an express declaration was necessary for the purpose, he was ready to submit.

Mr. *Hume* said, that nothing could be fairer than the conduct of the hon. and learned Gentleman opposite. It was, however, most material that the express declaration of the extent of the inquiry now proposed by the hon. Member for Bridport should be adopted by the House. It was essential to the purposes of justice that an opportunity should be given of showing that the bargain was not between the hon. and learned Member for Dublin and Mr. Raphael. Yes, he would repeat his assertion—the bargain was not between the hon. and learned Member for Dublin and Mr. Raphael, but between Vigors and Raphael.

Mr. *Williams Wynn* observed, that the resolution alleged that there had been a negotiation for an agreement between the hon. and learned Member for Dublin and Mr. Raphael; that allegation might, no doubt, be met by evidence for the purpose of rebutting it, and then doubtless a different question would arise; still that other question lay within the scope of the inquiry, even though the amendment of the hon. Member for Bridport had never been moved. The main question was, had there or had there not been a negotiation of the nature stated? And he repeated, that in order to the investigation of that question, no addition to the resolution was necessary, at the same time that he did not feel any objection to the words proposed to be added. As he before said, he thought them unnecessary, for it was clear the application of the money was part of the *res gestæ*. It was obvious that, after the agreement made the money might have been applied to the purposes contracted for, or might have been diverted from that to other purposes, legal or illegal, as the case might be. All these were then fit subjects for inquiry and he therefore entertained no objection to that part of the proposed inquiry; but he entertained an insuperable objection to investing a Committee with power to go into the general political state of the county of Carlow. He objected to the Committee being engaged with inquiries as to the number of widows or the destitution of the orphans who might belong to that county. That was perfectly distinct from the objects of the Committee, which, in his opinion, should embrace all the circumstances affecting the negotiation and bargain, but should be strictly limited to those circumstances.

Mr. *Scarlett* observed, it had been fully admitted that a sum of 2,000*l.* was to be paid into the hands of the hon. and learned Member for Dublin, to whatever purpose it might afterwards be applied. It might or it might not be applied to the furtherance of the power of the hon. and learned Gentleman, but if it were so applied, all men must clearly be of opinion that such an application of it would be against the principle of that great measure, the Reform Act, which the hon. and learned Gentleman himself had been so active in promoting. The Reform Bill was passed for the express purpose of putting an end to that species of public scandal, and now the fit subject for the Committee to inquire into would be, whether or not the hon. and learned Gentleman had been guilty of any offence against that or any statute designed for the better carrying out its principle, or in any way having a tendency thereto. He was one of those who thought that some years ago there was a great necessity for a little reform. A small reform, however, was not adopted, and the ancient patrons of seats in that House, who brought into it so many men of distinguished patriotism and talents, had lost their influence; but let them beware lest, in transferring power from those ancient patrons, they had not placed that power in hands infinitely more dangerous; likewise let them remember the old political maxim, that "whomsoever you give political power, to that quarter will property flow," and they had now before them a remarkable exemplification, showing how true that maxim was. Formerly there existed nomination boroughs, now there was a purchase and sale of the representation of counties. When he had before intended to rise to order, his object was to call the attention of the House to the obligation which lay on the hon. and learned Member for Dublin, in using the indulgence which the House conceded to him, not to cast imputations on Gentlemen who had no connexion with the matter in which he was engaged, and not to mix them up with his own defence. As to the Amendment which had been proposed by the hon. Member for Bridport, he did see words in it which, as he thought, would let in the investigation of many other matters of a like nature, and many even of those suggested by the hon. and learned Member for Dublin in a speech which the House had just heard. In his judgment, if such inquiries were at all admitted, they ought to be instituted before a distinct Committee and upon a distinct Motion. For these reasons he felt anxious that the House should adopt the original Motion without the Amendment, proposed by the hon. Member for Bridport.

Lord *Sandon* wished to know if the proposed inquiry was intended by the hon. Member for Bridport to embrace all the circumstances connected with the late Carlow election, because, if it was proposed to drag before the Committee the whole history of those transactions, that object would be much better effected by acting on the notice already given respecting those matters than by adopting the Amendment then before the House. Nevertheless, he should not so much object to the Amendment, if there were a distinct understanding that it was not to be made a cloak to shelter or conceal the main object of inquiry, from which he contended all attention would be driven if some definite limit were not placed to the inquiry. Looking at the notice which had been given and withdrawn, and looking, too, at the defence which had been made by the hon. and learned Member for Dublin, he saw every reason to suppose that the more extensive inquiry, which he feared, was actually intended by the mover and the supporters of the Amendment. It was, therefore, most material that there should be an explicit understanding on the subject. If it was fitting that the several cases of the widows and the orphans should be gone into by another Committee, and on a different Motion, it would of course be the pleasure and the duty of the House to engage in such an inquiry; but, most assuredly, not at a time when it was occupied with a transaction such as had then been brought under their consideration. Once more, then, he begged to inquire what was the interpretation which the mover of the

Amendment himself put on his own proposition?

Mr. *Warburton* said, he meant by his amendment that the Committee should extend their inquiry to the actual application of the sum in question. If, for example, it appeared that it was given to such or such a family for such a purpose, then, without going into the whole state of the county of Carlow at or before the election, a few questions more would show whether or not the money had been fairly applied.

Lord *Sandon* was satisfied with the application which the hon. Member for Bridport gave of the proposed amendment, and the limits now being distinctly ascertained, he should abstain from offering any opposition to the amendment.

Motion amended, agreed to.

Mr. *Hardy* rose to nominate the Committee. An arrangement had been come to between him and the hon. and learned Member, through the intervention of mutual friends, for the purpose of agreeing upon the names of the number requisite for forming a Committee, and he regretted that, both in that and in other respects, it had been made too much of a party question. [*Tremendous cheering from the Ministerial side of the House.*] He begged hon. Members to recollect which side of the House had made it a party question, before they indulged in such triumphant cheers. As to the formation of the Committee, he begged to add, that no name had been suggested by him, and that it was a Committee upon which he could not think of serving. The hon. and learned Member moved that the following Members form the Committee:

Mr. Ridley Colborne, Lord Francis Egerton, Mr. Bannerman, Mr. Barneby, Sir Ronald Ferguson, Sir John Yarde Buller, Mr. William Orde, Sir Charles Broke Vere, Mr. Warburton, Sir Eardley Wilmot, and Mr. H. G. Ward.

Mr. *Warburton* wished to state some of the circumstances connected with the selection of names which had now been submitted to the consideration of the House. It was perfectly true that arrangements made out of the House were not always binding within doors, but he thought the present was an occasion in which every honourable man would feel himself bound by what had occurred out of doors. Himself, the hon. Member for Cheshire, the hon. Member for Monmouthshire, and the hon. Member for Edinburghshire, met for the purpose of choosing the requisite number to form the Committee. Having met, as he stated, for the purpose of arranging who were the most fit to compose such a Committee, he confessed he was most anxious that a person of such transcendent talents as the hon. and learned Gentleman—that a man filling so large a space in the eyes of his own countrymen, and occupying no small degree of attention in this country—he was, he did not hesitate to acknowledge, most anxious that a person of that distinction should be tried by his Peers; it was, besides, the express request of the hon. and learned Gentleman himself. He, therefore, naturally wished to nominate as a member of that Committee the right hon. Baronet opposite, the Member for Tamworth, looking upon him as the representative of a large party in that House. If that right hon. Baronet had agreed to serve on the Committee, it would, of course, have been necessary, or at least fitting, that some Cabinet Minister should also be nominated, and he suggested the name of the right hon. Gentleman the President of the Board of Trade, and the number agreed on was eleven, including the Chairman. The objection to the right hon. Baronet proceeded from the right hon. Baronet himself; accordingly, neither he nor the President of the Board of Trade was named in the list of the Committee; the hon. Member for Cheshire brought him the list, as having been approved on the other side, and he considered the arrangement final, supposing the Member for Tamworth, and the President of the Board of Trade to have respectively retired, and he certainly considered the list perfectly fair. He saw the Member for Dublin on the subject, and obtained his consent; it was therefore impossible that any change could be adopted, and that was the reply he made when applied to on the subject while going out to divide on the motion of the hon. Member for Bath. The other list prepared on the occasion was as follows:—

Mr. Ridley Colburne, Mr. Bannerman, Sir R. Ferguson, Mr. W. Orde, Mr. R. Clive, Lord Francis Egerton, Lord Eastnor, Mr. H. G. Ward, Sir C. Broke Vere, Mr. B. Hall, and Mr. Wilson Patten.

Sir *George Clerk* said, that in a case of that kind he naturally desired, as any one so connected with it must, to make the selection of persons as impartial as possible, Having met the hon. Members already mentioned, they agreed upon the general principles which ought to guide them in making the selection. In the first place, they desired to put on it men holding high official situations at present. On the other hand, they wished to nominate some who had recently filled situations of importance under the Government of his right hon. Friend the Member for Tamworth; it was also thought expedient that there should be no Members for Ireland on the Committee; then, likewise, it was considered that five should be selected from each side of the House, and that the eleventh should be chosen, not, as was usual in the case of other Select Committees, from the same side of the House with the mover, but from amongst those of the same side of the House with the individual whose character might be affected by the inquiry. It was, indeed, at first arranged that five should be selected from one side of the House, and five from the other, and one neutral, and it was suggested that a person of this description was more easy to be found on that side of the House on this question. Afterwards a new arrangement was proposed, in consequence of a suggestion that the right hon. Baronet the Member for Tamworth, and the right hon. Gentleman the President of the Board of Trade, should also be members of the Committee. It, however, appeared to him that there were circumstances which precluded the possibility of his right hon. Friend's acceptance of that office, and therefore that suggestion was not acceded to on his part, considering, as he did, that the Committee being of a judicial nature, it was important not to name those who would not attend. Thus they broke off the negotiation before the names of many Members were put down; but, as his right hon. Friend was not named on the Committee, he contended that the name of the right hon. President of the Board of Trade should not be put down. He considered, then, that he was perfectly at liberty to choose five names from that (the Opposition) side of the House, selecting persons who were free from all suspicion of personal hostility to Mr. O'Connell, while he on his side would not object to any five names proposed on the other side, however warmly they were in the habit of exerting themselves in favour of the cause they espoused. He thought it better that there should be no professional men on the Committee, and he had selected five names, having first ascertained that the Gentlemen nominated were willing and able to attend. These names were before the House, and it was for the House to form their judgment upon them. On his part, he took no exception to those named on the opposite side—neither to the hon. Member for Aberdeen, the Member for Newcastle, the gallant General who was the Member for Nottingham, the hon. Member for Bridport, nor the hon. Member for St. Alban's, all of whom were remarkable for the political warmth they exhibited on all occasions.

Mr. *John Stanley* observed, that when it was found that the right hon. Baronet the Member for Tamworth could not serve on the Committee, it was arranged that no Member of a corresponding station on the Ministerial side of the House should be one of its Members. The hon. and learned Member for the Tower Hamlets was then proposed, but he was objected to on the ground of his being a judicial person, and his name was therefore struck out, and another Gentleman on the other side was also struck out for the same reason. He had himself no objection to the list as submitted to the House. The only question was, whether there were to be nominees? The Committee itself was to be constituted with these provisions, that the Members should be taken from both sides of the House, that no Member for Ireland should sit upon it, and that it should not contain any Member of the present or the late Administration.

The list of the proposed Committee was again read over.

Mr. *Warburton* objected to the name of Mr. Barneby being on the list. He entertained no personal objection to that hon. Gentleman, but he did not think that he had sufficient standing in the House to carry a proper degree of weight. There had been a departure from the original agreement, according to which the name of Dr. Lushington was on the list; but that had since been removed, as well as that of Mr. Wilson Patten. He (Mr. Warburton) should propose that either Lord Clive or Mr. Wilson Patten be placed on the Committee, instead of the hon. Member for Droitwich (Mr. Barneby).

Lord *John Russell* was extremely anxious that some arrangement should take place, or that the Committee could be named without giving rise to any serious difference of opinion. Although there had been some misunderstanding respecting the names, yet he had thought that his hon. Friend the Member for Bridport, and the hon. Baronet, the Member for Edinburghshire, had come to an arrangement on the subject. He admitted that the Committee, as originally agreed upon, contained the names of hon. Members having more experience in the House than the hon. Member for Droitwich, who was now proposed; but when he considered that the discussion had proceeded without that excitement on either side of the House which might have been expected from the nature of the question, and as every one was aware how desirable it was that the Committee should be appointed without a division, so that they might at once proceed calmly, and without apparently different views, to the consideration of the subject, he thought that it would be much more advantageous if his hon. Friend did not press the question to a vote. He would only add, that although the list of the Committee now proposed was not exactly the same as that previously agreed upon, still, as far as he was concerned, he did not think that the fairness of the names could be questioned.

The name of Mr. Barneby was placed on the list, and the other names were agreed to.

Mr. *Warburton* proposed that a nominee should be appointed on each side. He might be necessary in the cross-examinations of witnesses to press questions with great severity, and that could be much better done by nominees than by members of this Committee. If this were not done, some of the members of the Committee might be heated by the nature of the cross-examinations that might be pursued by other members. If the hon. Member or the hon. Baronet was prepared to name a Gentleman as a nominee, he (Mr. Warburton) would also do so on the part of Mr. O'Connell.

Mr. *Robinson* objected to the appointment of nominees. He did not see on what principle the House could consent to such a proposition. When a fair Committee was appointed, and the requisite information was furnished to enable them to form a correct judgment, he did not see the necessity for nominees. He objected to it also as it was a departure from the course pursued in similar cases.

Mr. *John Stanley* observed that the hon. Member was mistaken in supposing that it was a departure from the usual course to appoint nominees in such a case as the present. In this case it was clearly understood between the parties when the list of the Committee was agreed to, that a nominee should be appointed on each side, and this was considered a material point. It was desirable to keep the members of the Committee as much as possible from any thing like violent heats, or to excite any feelings calculated to prevent them forming a cool judgment, and certainly this was not likely to be the case if the Members had to cross-examine the witnesses at great length.

The *Speaker* then read the names of Sir Frederick Pollock and Mr. Sergeant Wilde, who were appointed nominees.

CORPORATION REFORM (IRELAND.)] Mr. Sergeant *O'Loghlen* then rose to move for leave to bring in the Bill for reforming the Municipal Corporations of Ireland.

Sir *Robert Peel* interrupted the hon. and learned Gentleman, and suggested that as it was impossible, after a discussion of the exciting nature of that which the House had just listened to, to induce hon. Members to attend calmly to a new subject, he would recommend the hon. and learned Gentleman to introduce his Bill at once, and to enter upon an explanation of its details in proposing the second reading of it.

Mr. Sergeant *O'Loghlen* would gladly avail himself of the suggestion of the right hon. Baronet. He then moved that leave be given to bring in a Bill for the regulation of Municipal Corporations in Ireland.

Motion agreed to.

Bill brought in, and read a first time.

HOUSE OF COMMONS,

Wednesday, February 17, 1836.

MINUTES.] Bills. Read a first time:—Registration of Births, &c., and Celebration of Marriages (England).—Read a second time:—Transfer of Aids; Exchequer Bills.

Petitions presented. By Dr. BALDWIN, from Cork, for the Abolition of Tithes.—By Mr. H. CURTEIS, from the Guardians of the Poor of Haslewood, to prolong the period for the Payment of Workhouses Loans.—By Sir JOHN TYRRELL, from Saffron Walden, to the same effect.—By the Earl of DARLINGTON, from Agriculturists of Wiltshire, for Relief.—By Lord C. MANNERS, from the North Leicestershire Agricultural Society, Owners and Occupiers of Land near Walton, and from Inhabitants of Bury St. Edmond's, to the same effect.—By Sir JOHN TYRRELL, from the Chelmsford Agricultural Society, Complaining that no Member for Essex had been appointed on the Agricultural Committee.—By Mr. H. CURTEIS, from

Licensed Victuallers of Sussex, for a Reduction of the Duty on Spirit Licenses.—By Captain Pechell, from Licensed Victuallers of Old and New Shoreham, to the same effect.—By Mr. Grote, from the Company of Watermen, for the Regulation of Steam Navigation on the Thames.—By Mr. Shaw Lefevre, from two Places in Hampshire, Complaining of Agricultural Distress.

Counsel for Prisoners.] Mr. *Ewart* moved the second reading of the Prisoners' Defence by Counsel Bill. In doing so, he said, that he had brought forward the Bill on the same grounds urged by him last Session. That being the fact, he did not deem it necessary to go into any very lengthened details on the present occasion. His great object then, as now, was, to secure the means of eliciting truth and promoting justice. He felt strengthened in his course of proceeding by the example of other countries on this very question; and by the fact that his Bill had received the sanction and support of gentlemen of the bar of Scotland.

Sir *Eardley Wilmot* said, that the opinions he entertained last Session in regard to this measure had been fully confirmed by the inquiries he had since made, and he therefore felt called upon to move, that the Bill be read a second time that day six months. Nine-tenths of the profession and the Judges were decidedly hostile to the alteration it proposed. If any practical measure—a measure, for instance, doing away with all speeches upon a criminal prosecution, or for allowing a speech for the prisoner when there was a speech for a prosecution—were introduced, he would give it his support; but he could not consent to a Bill, which, like the present, opened the door to the greatest possible confusion and inconvenience, without being calculated in the smallest degree to assist those for whose benefit it professed to be introduced. He moved as an Amendment, "That the Bill be read a second time that day six months."

Mr. *O'Connell* said, that the law, as it at present stood, was abominable. Nothing could be more frightfully unjust. In a criminal prosecution the prosecutor's counsel might make two speeches, while the prisoner's counsel was not allowed to say one word. There were cases of circumstantial evidence in which, unless counsel were allowed to interfere, the facts must remain unexplained. He had known instances in which prisoners could not possisibly have been convicted had counsel been allowed to plead in their favour. He remembered a case of three brothers who had been convicted, when he was satisfied that if he had been allowed to speak for only five minutes he could have proved their innocence. He must complain of the conduct of some of the Judges in Ireland, as well as of the motives of certain barristers who had given evidence on the subject before a Committee of the House of Lords. He thought the hon. Baronet ought to allow the Bill, at all events, to pass a second reading, and then in Committee seek to mould its details into the form he thought most advisable.

Sir *Frederick Pollock* entirely agreed in what had fallen from the hon. and learned Member for Dublin on this subject. The present state of the law was not only disgraceful to the Legislature, bnt most dangerous to the community at large—It was also fraught with anomalies. If a man were under a criminal charge, would he not be desirous to have counsel? And if capable of addressing the Court himself, might he not be his own counsel? The principle was strictly observed in civil cases, and he did not see why it should not apply with infinitely greater force in those which were of a criminal nature. It was quite impossible that the Judge could act as counsel for the prisoner, all he could do was to ascertain the particulars of the charge brought against him. He (Sir F. Pollock) held it to be essential that the prisoner's counsel should have the last word. He had frequently known a good defence to be kept back through the fear of the reply on the part of the counsel for the prosecution. He entirely concurred in the principle and objects of this Bill.

Mr. *Poulter* would never consent that every case of felony should be accompanied with a speech from the counsel for the prisoner. Were such a practice to be adopted it would have the effect of destroying that pure administration of justice which had hitherto been attended with such beneficial effects, and he believed, likewise, that it would prove highly injurious to the prisoner's case.

Mr. *Lynch* supported the Bill. In every country of Europe the privilege of being heard by counsel was allowed the prisoner; and even in this country it was not prevented by statute, but only by usage.

Mr. Sergeant *Goulburn* was convinced that the Bill would fail in assisting the ends of justice. He thought it advisable, as it was in accordance to all precedent, that none in a Crown Court should be permitted to speak but the Judge. He would not deny that in other countries where there was more excitement, he was happy to say, than in ours, a system similar to the one proposed might be of service. The measure was opposed by the Judges, who thought it unfair to the prisoners.

Dr. *Lushington* was decidedly in favour of the Bill; and when it was said by those who opposed it that the whole weight of the bar, and the whole authority of the bench was ranged against it, he would only observe that the noble and learned Lord, the Chief Justice of the King's Bench, whose situation as Common Sergeant in the City of London, had given him great experience in the administration of Criminal law, had expressed to him an anxious wish for the success of a measure of this description. He agreed with the hon. and learned Member for Huntingdon, (Sir F. Pollock), that the law, in its present state, was a disgrace to the country.

Colonel *Perceval* would not allow the question to go to a division without throwing back the imputation cast upon the learned Judges in Ireland by the hon. and learned Member opposite (Mr. O'Connell). It was the habit of the hon. and learned Member to charge those learned Functionaries with partiality. He grounded his charges not upon facts, but his prejudices. He also felt it his duty to do the same with regard to a learned Friend, whom he had also the honour to call a countryman (Mr. C. Phillips). The hon. and learned Member for Dublin had insinuated that the evidence given before the House of Lords by that Gentleman on the subject of having counsel for prisoners, was influenced by the poor, paltry, and pitiful consideration of fees. This he thought a most unjust imputation. In conclusion, all he should say was, that he thought the present law was better than the proposed measure.

The *Attorney-General* had heard nothing which tended in the slightest degree to alter the opinion which he had formed upon this subject very early in his professional career. It had been stated by those who were opposed to the measure, that no members of the legal profession, who had practised much in the Crown Courts, had expressed an opinion in its favour. Now it so happened, that nearly the whole of the first part of his professional life had been passed in the Crown Courts, and from the experience he had thus acquired of the administration of criminal law, he was strongly of opinion that a measure of this description was absolutely necessary to vindicate the law of England from a deep and disgraceful stain. There was no reason why counsel should not be allowed to speak for the prisoner in cases of felony as well as in cases of misdemeanour. The anomaly which the law as it now stood presented upon that point, he conceived to be a scandal to the administration of justice in this country. That some inconvenience might result from the change was no reason why a glaring injustice should be allowed to remain. It was high time that the scandal should be removed. Therefore, although he thought that some of the details might require alteration, he should give to the principle of the present Bill his firm and cordial support.

Mr. *Cripps* thought, that if the Bill were passed, prisoners would not be so well off as they were under the present system.

Mr. *Plumptre* said, that the question was, whether the practical working of such a Bill would be beneficial to prisoners. If he could persuade himself that it would be really advantageous to them, he should give it his warmest support. But he confessed that, as at present informed, he entertained very strong doubts upon the point.

The House divided.

On the Motion for the second reading, Ayes 179; Noes 35—Majority 144.

List of the NOES.

Archdall, M.
Barneby, J.
Blackstone, Wm. S.
Buller, Sir J.
Cartwright, W. R.
Chandos, Marquess
Clive, E. B.
Cripps, J.
Divett, E.
Dundas, G.
Egerton, W. T.
Fector, J. M.
Goring, H. D.
Goulburn, Rt. Hn. H.
Heron, Sir R.
Hope, H. T.
Inglis, Sir Robert
Lawson, A.
Lefroy, Sergeant
Lefroy, A.
Maclean, D.
Nicholl, Dr.
Perceval, Colonel
Plumptre, J. P.
Poulter, J. S.
Price, S. G.
Sibthorp, Colonel
Somerset, Lord G.
Trench, Sir F.
Trevor, Hon. G. R.
Weyland, R.
Wrottesley, Sir J.

TELLERS.

Goulburn, Sergeant
Wilmot, Sir E.

Bill read a second time, and referred to a select Committee.

[The List of the Ayes obtained on this division was so extremely inaccurate, being deficient as originally published, no less than fifty-six names that it would only mislead were we to insert it.]

THE NEW HOUSES OF PARLIAMENT.] Mr. *Hawes* moved that it be an instruction to the Committee appointed to consider and report on the plans for the two Houses of Parliament, to inspect all the plans which had been submitted to his Majesty's Commissioners, &c., and to receive the estimates of the said plans from such architects as might be willing to furnish them to the Committee. He did not intend to cast any reflection, directly or indirectly, on the commissioners; but he deemed the inspection of all the plans necessary, in order to convince the public that, in selecting a plan for a building adequate to the purposes of the Legislature, the decision come to was right and proper. It would give the public greater confidence in that decision. The course he was anxious to pursue would by no means open up the whole question again, which he particularly wished to avoid.

The *Chancellor of the Exchequer* opposed the motion. It would be a re-opening of the whole case. Certain resolutions were affirmed by the whole House, which went to the appointment of a Commission for the purpose of selecting the best plans from among the many offered; and the Select Committee of the last Session had been revived this Session to choose one from the number thus selected. The Commissioners were men of experience and knowledge—and they were perfectly unconnected with the candidates, and perfectly unprejudiced. They had given judgment in favour of four plans out of the number submitted to them; and those they recommended to the consideration of the Select Committee of the House. The other plans were in the meanwhile open to public inspection and general canvass. If the House were now to refer the whole ninety-four plans submitted to the Commissioners to the Committee, the greatest embarrassment would be caused, and no good would result from it. He thought it inexpedient, therefore, to adopt the motion of his hon. Friend the member for Lambeth

Mr. *Jephson* said, that the House should have an understanding with the right hon. Chancellor of the Exchequer before it proceeded further, that no estimate should be received, and no definite arrangement entered into by the Committee, until the public had had an opportunity of examining not only the successful plans but the unsuccessful ones also.

Sir *Robert Peel* wished to ask the right hon. Gentleman opposite a question. When the parties were invited to send in their plans was there any intimation conveyed to them as to the limits of the expense which would probably be incurred by the nation? For instance, were they told that 500,000*l*, would be most likely voted, or a lesser or greater sum? If one party assumed that a million, or even millions, would be voted for the purpose of erecting both Houses of Parliament, and another assumed a smaller sum, he should not be at all surprised to find that the plan founded on the estimate of the greater was superior to that founded on the estimate of the lesser. The artist who assumed the expenditure of a million would have an advantage in framing his plan over the more penurious artist, who assumed the expenditure of only 300,000*l*. and so on, in an increasing ratio. Although the Commissioners might have given the reward voted by the House to the artist of the best plan, with every justice and reason, still it might be a question for the House to consider whether the artist who had combined the two main requisites—the best plan with the most economical estimate—should not be entitled to the preference. He begged an answer to his question—whether there had been any instructions given to the Committee as to the limitation of the expense in the plans for the construction of both Houses of Parliament?

The *Chancellor of the Exchequer* said that the whole proceeding respecting the new Houses of Parliament had been the proceeding of the House of Commons, and that the course adopted by the Government respecting the plans, had been controlled by the resolutions of a Committee up stairs. No limitation whatsoever with respect to expense was contained in those resolutions; the principal object was to get the best plan that could be obtained of a building for the accommodation of the Legislature, and the artists were left entirely free as to the article of expense: no restriction being imposed on them, except as to the style of building. As no limitation of expense was imposed, of course all the architects were upon equal terms, except so far as one architect might let his imagination lead him very wide with regard to expense and decoration, while another might be more moderate in his conceptions.

Sir *Robert Peel* said, that the particular and practical question he wished to ask the right hon. Gentleman was—When the Commissioners were appointed by the Government to select the best plans and give prizes to the most deserving artists, were they directed to decide on the abstract question of whether one plan was better than another, or were their instructions to combine economy with beauty, and take into consideration the expenses as well as the fitness of the plans they selected? He wished to know whether the artists had any guide? and whether one said—" I'll send in my plan without considering the expense of it," while another said—" I'll consider the expense as well as the propriety of my plan for the purpose. If no limitation had been suggested or understood he was very much afraid that the Commissioners had selected the four best plans without reference to the expense.

The *Chancellor of the Exchequer* believed that the Commissioners were empowered to take nothing into consideration besides the beauty and convenience of the plans laid before them for selection. They could not take cognizance of the expense, as it was a question which did not fall within the line of duty marked out for them.

Mr. *Hume* agreed with the observations of the right hon. Baronet. The House, in his opinion, had made one or two serious errors in their decision of the question. The first was permitting the Commissioners to decide on the best plans. Some of these plans, if he was rightly informed, were exhibited to the Commissioners themselves and to the public by the architects long before the decision had been come to respecting them. Besides, accustomed as the Commissioners were to the styles of different architects, they could easily recognize in the several drawings the hand of the artist. He had been informed that Mr. Barry, the successful candidate, had exhibited his plan publicly before the decision of the Commissioners in its favour. The next mistake was with regard to the question of expenses. It was not his fault, however, as he had suggested to the Committee that the expenses should be limited; but they did not seem to think as he did on the subject. He fully agreed with the observations of the right hon. Baronet, that a plan formed on an estimated expenditure of two millions would be likely to be far superior to one formed on an estimate of a quarter the amount. He thought the whole of the plans should again receive inspection and consideration, both with regard to the expense and the beauty, and that the whole House should decide on that which was best in all respects. He thought the course suggested by the hon. Member for Lambeth was best calculated to meet the emergency and obtain for the House the information which it stood in need of.

The *Chancellor of the Exchequer* declared that the reproaches which had been directed against the Committee were highly unjust. There was not the slightest information given to the profession which could enable one interested party to take an advantage of another. So little aware were the candidates of the opinions of the Committee that one of the successful parties had actually taken steps to exhibit his plans along with others, imagining that he was among the rejected.

Mr. *Warburton* said, that the hon. Member for Middlesex appeared to be mistaken as to the recommendation of the Committee that a public exhibition should be ordered by the House, whereas it was a private exhibition by the artists themselves that they had sanctioned. There was also a great fallacy in the idea that several estimates by distinct architects could be expected to harmonise. Where, for instance, one man adopted a different standard of value for labour, or bricks, or timber from that of another, it would be impossible to arrive at any useful comparative result, and it would be a palpable loss of time to all parties to enter on such a course, though, he confessed, it would be only consistent to require a satisfactory estimate, with working drawings, of any plan that the House might be inclined to approve, before they finally adopted it. It would, however, be mere folly to require estimates of ninety-five plans. The cost would be enormous, and the advantage nothing.

Sir *Robert Inglis* trusted that the House would not adopt any course that would have the effect of delaying the erection of the new buildings and embarrassing the

Committee. He hoped they would see the propriety of the following course pointed out by the Chancellor of the Exchequer; and, having advanced so far in their most desirable work, not turn back again and undo all the Committee had effected. If not retarded by the adoption of this Resolution, he expected fourteen days more would suffice to fulfil the duties which yet remained for the Committee to execute in the preparatory steps requisite to enable the House to adopt a plan, which he hoped would then be proceeded with immediately. If no needless delay were occasioned he hoped to see the work in progress in April.

Sir *Frederick Trench* said, the candidates and the House also would have been saved immense difficulties if a maximum of expense had been stated for their guidance. Each of the plans selected by the Committee might (for want of such previous instruction) cost two millions, perhaps, instead of one, if put in execution; so that, when the House came to decide on the best, it might find the whole four objectionable in this view, and it might therefore find itself placed in great difficulties, and be obliged to begin *de novo*. He thought the proposition of the right hon. Gentleman, to place the four approved plans in a room together for the inspection of Members, to enable the House to arrive at a fair choice amongst them, was very good. He had no doubt, however, that the Committee had selected the best, and that the House would confirm their decision; but he feared that the best might be found inadmissible in point of expense, and that, after all, none of them could be executed.

Mr. *Hall* agreed with the hon. Member, that, although one plan had received a premium of 1,500*l.*, and three others 500*l.* each, it did not follow that any of them were to be executed. It would be impossible to accede to the proposition before the House to receive estimates and report on the merits of ninety-five plans. It would require at least five or six months to draw up an estimate of Mr. Barry's alone, with working drawings, sections, and elevations; and the calculations and inspections necessary to verify the whole would be an endless work. It would certainly be highly satisfactory not only to the successful architects but to Members and the public if both classes of plans, the selected and rejected, could be exhibited together, so that the labours of the artist and the judgment of the Committee could at the same time be fairly appreciated.

Mr. *Hughes Hughes* thought that the subject of expense should receive immediate attention, as very erroneous views had gone abroad on the subject. He had heard that the author of one of the selected plans had been congratulated on his success by some one who expressed a doubt that the expense would be a bar to its erection, and that the architect had declared it could be erected for 500,000*l.*

Mr. *Williams Wynn* defended the propriety of the original determination of the House to obtain the best plan without a view to expense, and agreed with the hon. Member for Bridport (Mr. Warburton), that the various units of value adopted by estimators for timber, stone, bricks, labour, &c., would probably have only led to false conclusions, especially when they considered the site of the building in the vicinity of the river, and the various views that architects might be expected to take of a proper foundation in that locality. The experience they had obtained in the case of the Custom House proved that the cheapest plan was not always the best; and he thought the safest way in the present instance was, to refer the task of drawing up an estimate for the adopted plan to some builder of eminence, who should not be interested as a competitor in the transaction. An estimate furnished by the architect would, after all, be quite valueless, for it would be impossible to expect that in a national work of this nature he could find security that it should not exceed the amount of his calculation; and though he might estimate the cost at 300,000*l.*, it might, when finished, be found to exceed a million. Nothing was so easy as to make mistakes in these matters; the error of Sir William Chambers in the case of Somerset House was well known, which cost treble the sum estimated, on account of unexpected difficulties encountered in the slimy soil in which the under-ground buildings were necessarily constructed, and which, (he understood) no architect could foretel the cost of in similar circumstances. He thought it therefore best to persevere in the course adopted by the House last year.

Lord *Stanley* was very desirous to correct an erroneous impression which had gone abroad relative to the award of the Commissioners. He had seen it very generally stated that they had awarded 1,500*l.* to the gentleman who had sent in the first plan, and 500*l.* to each of the other architects whose designs they approved of. Now, unless he was much mistaken, they had no power to make any such award. All they had to do was this —to select a number of plans, not less than three, nor more than five, to be referred to a Committee to be appointed subsequently, composed of Members of both Houses of Parliament; and to declare each of these plans entitled to a premium of 500*l.* A further recommendation of the Committee was, that the architect of the plan ultimately selected, if he were not employed to build the Houses of Parliament, should receive a further premium of 1,000*l.*

The *Chancellor of the Exchequer* admitted the accuracy of his noble Friend's recollection of the extent of the powers intrusted to the Committee.

Mr. *Hawes* would leave the case to the decision of the House.

Lord *Sandon* observed that it had been hardly ever found, in any case, that an architect was enabled to give in a correct estimate of the probable expense of a building, until it was actually erected. He hoped the principle of the Resolution which had been moved by the hon. Member for Southwark would be recognised and adopted by the House.

The House divided: Ayes 48; Noes 120; Majority 72.

List of the AYES.

Aglionby, H. A.
Angerstein, J.
Balfour, T.
Barnard, E. G.
Bateson, Sir R.
Blake, M. J.
Bowring, Dr.
Bodkin, J. J.
Brotherton, J.
Brownrigg, J. S.
Buckingham, J. S.
Coote, Sir C. H.
Crawford, S.
Eaton, R. J.
Elphinstone, H.
Evans, G.
Fielden, J.
Fleming, J.
Forbes, W.
Gaskill, J. M.
Gore, W. O.
Halford, H.
Heathcoat, J.
Hume, J.
Johnston, A.
Kirk, P.
Leader, J. T.
Lefroy, Sergeant
Lefroy, A.
Lewis, D.
Lister, E. C.
Maunsell, T. P.
Pelham, Hon. C. A.
Pryme, G.
Praed, W. M.
Potter, R.
Rundle, J.
Sheldon, E. R. C.
Sinclair, Sir G.
Smyth, Sir G. H.
Thompson, Col.
Tulk, C. A.
Wakley, T.
Villiers, C. P.
Walter, J.
Walker, R.
Yorke, E. T.

TELLERS.

Hawes, B.
O'Brien, W. S.

SHANNON NAVIGATION.] Lord *Clements*, in moving for certain papers relative to the projected improvements of the river Shannon, observed that the right hon. gentleman (the Chancellor of the Exchequer), during the preceding Session, had stated as a reason why he had been unable to bring forward the Government plans with respect to this undertaking, the great pressure of other business, by which his attention was altogether occupied. It was owing to this that the Bill which passed last Session, for the purpose of authorising certain preparatory proceedings to be taken relative to the landed proprietors whose estates would be benefited by the projected alterations, was deferred until the month of August; but he could not conceive that there was any excuse for the delay in appointing Commissioners to act under that Bill; nor that there was any reason why the Commission should be restricted to the mere purpose of ascertaining the amounts to be levied on the landed proprietors, or why the Commissioners should not at once proceed to carry into execution the projects of improvement. These several delays, together with those which might be expected, would postpone the matter to an indefinite period. Besides, the Government of this country was not fit to deal with matters of this description, they being rather of a local than of a general nature. It was for this reason that he felt some surprise at the Government having declined to receive or to sanction the plans of those parties who, being interested in the work, and who, being local proprietors, must of necessity be better able to suggest and to carry into effect the improvement required, and his surprise was the greater when he considered that the Government would have been furnished with these plans gratuitously. He did not mean to deny the fitness of the Commissioners to execute the task which had devolved upon them, but he considered that five engineers of such eminence as those named in the Commission were too many to appoint for such a purpose, and the only result to be looked for would be that some plan of great magnificence and grandeur would be suggested, which the House of Commons would never feel itself authorised to grant money to execute, and then the projected improvement of the river would be altogether dropped and lost sight of. The public, he felt assured, would have been much better satisfied if only one of these engineers had been appointed. In conclusion, he begged to ask the right hon. Gentleman whether he could hold out any prospect that the work would be finished during the term of the natural lives of the present generation? It had been promised to Ireland ever since the Union that the great river of that kingdom should be made available for her commerce, but as yet that promise had been evaded and postponed. The noble Lord then moved for a copy of the instructions to the Commissioners appointed under the 5th and 6th Wm. 4th., c. 67, for the improvement of the river Shannon, with the date of their appointment, and the date of their first meeting in their capacity of Commissioners.

The *Chancellor of the Exchequer* said, that he had no difficulty whatever in granting at once the papers asked for by the noble Lord; at the same time he must express his surprise at some of the remarks which had fallen from his noble Friend. The charge which the noble Lord had brought against him was, that he was over-cautious, over-scrupulous in the steps which he took in granting away the public money. He would acknowledge that he had been cautious, and he would tell the noble Lord why. He had thought it necessary before the grant of any money was proposed or sanctioned by the Government, that the House should be put in possession of the plans of the undertaking, and of the amount of local levies to be made in support of it. He was perfectly aware, as the noble Lord had stated, that he could have had plenty of plans for nothing at all from local parties who were interested in the scheme, but that sort of information and project it did not suit the Government to accept, or to go to work upon. He, therefore, sought the whole profession of engineers to obtain men who were qualified by their attainments and high character to enter upon the examination of the localities, and to project the works, and who were, moreover, free from local bias or partialities, and the names of the Commissioners would be found to justify his choice. The Government were bound in the most peculiar manner, after the signal failure of some similar works, to protect the public against loss or misapplication of the money granted, and also to prevent the nation at large from being made to pay large sums of money for the purpose of serving the interested views of the parties concerned.

Mr. *French* remarked, that the right hon. Gentleman had studiously avoided noticing any of the questions put to him by the noble Lord, and had not by any means satisfactorily accounted for the delay complained of. The noble Lord had inquired if there was any prospect of the Report of the Commissioners being presented in sufficient time, to enable the works for the improvement of the navigation of this river to be commenced in the course of the ensuing summer, a question of the utmost importance, but to which the right hon. Gentleman had not given any answer, nor had they been told how it was proposed the Grand Canal should be dealt with. He (Mr. French) had no hesitation in avowing he was one of those Irish Members who, in common with the noble Lord, was deeply dissatisfied with the way in which this important question had been delayed. That dissatisfaction arose solely for the sake of his constituents and the public. He had neither personal nor family interest in it. He would not, however, charge his Majesty's Ministers collectively with the delay which had taken place—a delay which was universally complained of, but would at once attribute it to its proper quarter—to the right hon. Gentleman, the Chancellor of the Exchequer, and he trusted the House would agree with him this assertion was neither unfair nor incorrect, when he should have briefly recalled to their minds the circumstances which had taken place. No indication being shown on the part of Government of an intention to bring forward any measure for the improvement of the Shannon, notwithstanding the various reports both of engineers and Committees of this House, the noble Lord, the Member for Calne, felt it his duty to call the attention of the House to the state of this river, and to move an address to his Majesty on the 2nd. of May last. In the course of the debate the right hon. Gentleman, on the part of Government, undertook to introduce a measure for the improvement of its navigation. On this understanding no division was called for, and the subject was left in his hands. Considerable time, however, elapsed, and no steps were taken to carry this promise into effect. He and several other Members felt it their duty to urge its fulfilment; at last, in the month of August, a Bill was introduced, falling, indeed, far short of what they had reason to expect, and what the interest of both countries demanded. The right hon. Gentleman has stated that Bill was opposed, and that he was only enabled to carry it, chiefly because the greater portion of the navigation of the river was in the hands of Government. In this he differed most materially from that right hon. Gentleman. It was, indeed, true that out of the entire House some three or four Members had expressed a species of qualified dissent; they were then present, and if he underrated their force they could say so; but he maintained that, even without the assistance of Government, the question would have been carried by an overwhelming majority. How could it be otherwise? The improvement of this river was of equal importance to both countries—the interest of both nations were identified. But even after this Bill, such as it was, was carried, care was taken it should not be acted upon; it received the royal assent on the 31st of August, and had the Commissioners been appointed in September, their report would then be ready to act upon. Their duty was not one by any means likely to occupy much time, being merely to settle what compensation, if any, was to be given to the owners of mills, weirs, or any other description of property it might be deemed advisable to remove; no information was required as to the nature of the improvements, the estimate of their expenses, or the different levels of the river; these had already been ascertained, and reported on by Mr. Rhodes. The right hon. Gentleman has acknowledged that the appointment of the Commission rested with him; how then, perfectly aware as he must be of the importance of the subject, would he account for four months having elapsed without the Commissioners being named, by which time the period for their labours had gone past, the floods having risen—it being impossible for them to enter on their valuations while the river was swelled by the winter rains? The whole project was necessarily postponed for a season, owing, as he before stated, entirely to the conduct of the right hon. Chancellor of the Exchequer. Although he was most anxious to enter on the main question of the state of this river, he felt it would not be fair to trespass on the indulgence of the House on the present occasion, which was merely a motion for a paper, which had been granted; but it was not his intention to let the subject drop here, as, should such a petty estimate as that of last Session be again brought forward for the Upper Shannon, that portion of the river in the hands of Government, the state of the navigation of which they ought to be ashamed of, he should feel it his duty to call the attention of the House to the navigation of this river, as affecting the interests of both countries.

Mr. *Hume* contended that the right hon. Gentleman had acted with extreme propriety and prudence in taking measures to ascertain the value of the improvements upon the estates of the local proprietors of the river Shannon before he proceeded to propose any grant of public money. In fact, no Chancellor of the Exchequer could have acted with more wisdom than the right hon. Gentleman had done in this case. He would venture to take the defence of the right hon. Gentleman on his shoulders, and he was sure that the right hon. Gentleman need not defend himself.

Colonel *Conolly* entirely agreed in the assertion that preliminary precautions were highly necessary, and that the steps taken by the Chancellor of the Exchequer were quite prudent and right. He begged to suggest, however, that whatever sum of money was granted on loan for this undertaking, it should be lent at the lowest possible rate of interest, as upon that it partly depended whether the capitalists of Ireland would consent to undertake the projected improvements. In fact, such a course had been pursued by the Government in lending money to Scotland for the purpose of national improvements, and Ireland had an equal claim to the consideration of the nation.

Mr. *Smith O'Brien* regretted that the Commissioners had not been nominated immediately upon the royal assent being given to the Bill of last Session; he must, however, add, that the gentlemen who composed the body of Commissioners answered the right hon. Gentleman's description.

Mr. *Warburton* said, that a distinct understanding was come to with respect to the grant for the river Shannon improvements, that until a survey had been made, and the local improvements and benefits conferred thereby upon the proprietors of the river banks had been estimated, and some terms or understanding come to with those proprietors, no proposal should be brought before the House for the grant of any specific sum.

Mr. *O'Connell* said, that the right hon. Gentleman (the Chancellor of the Exchequer) was quite right as to the time at which the Commissioners were appointed, for if they had taken the survey at the time mentioned—namely, in August or September,—the river Shannon, which was then at its lowest, and consequently the average height of water, or the levels of the river could not be ascertained. He certainly thought, with the gallant Member for Donegal, that the proposed grant ought to be lent at the lowest possible rate of interest.

Motion agreed to.

MUNICIPAL COUNCIL OF POOLE.] Mr. *Blackburne* rose in conformity with the notice which he had given, to move for the appointment of a Select Committee to inquire into the circumstances attending the late election of the municipal council of the borough of Poole. If the circumstances which were stated in the petition which he held in his hand from a number of the inhabitants of Poole were heard before the Committee, he felt that he should be justified in asking permission of the House to bring in a bill to set aside the recent election of the corporate body in that borough, and to give the inhabitants the opportunity of another election. His present motion might, therefore, be considered merely as a preliminary proposition to ulterior measures. He trusted that if, in the opinion of almost every Member of the House, a case could be made out either of gross errors, or rather frauds, that had been committed in the municipal election in this borough, that steps would be taken to have them nullified. He might, probably, be told, that the proceedings which had been adopted in a court of law were sufficient for that purpose; but he trusted that he should be able to show to the House that a court of law would not afford a satisfactory remedy. He need not detain the House with any preliminary observations, but would at once proceed to state the facts of the case. The borough of Poole was divided into two wards, namely—the north-east and the south-east wards. The two wards were to elect eighteen councillors—nine for each—and these were to elect the six aldermen. The borough of Poole, as many other places, was divided into two parties—the one the supporters of the old system of the corporation, and the other who thought that great benefit would be produced to the inhabitants of the town by introducing a change of system and persons. Under these circumstances, it was not surprising that the inhabitants of the place were full of excitement to support the several interests in which they were engaged. Those who were anxious for a change suspected that those who were supporters of the old system, and who were in office, and who, consequently, had the management of the election, would pursue some unfair course towards them; they, therefore, determined to adopt certain precautions, and among other things, they had their election papers of the list of councillors printed in blue letters, and in a particular manner. A few days afterwards they found that the supporters of the old corporation had issued papers exactly similar with the exception of the names to those they had adopted. To obviate any unfair proceeding, which they supposed was intended, they gave notice to all their partisans, or persons entitled to vote, and who were supposed to be favourable to their interest, to go to a particular place in the town when they had voted, and for each to give in a duplicate of the voting paper he had used. Until the morning of the election, they thought that the papers they had put forth, and the other steps which they had taken, would have been sufficient to have prevented any frauds; but it turned out, by the contrivance of the mayor, that all their precautions were rendered null and useless. He presided in one ward himself, and another person sat for him in the other, and each of them chose to have the voting carried on in a small room. The mayor, as well as the person who presided in the other ward, had each of them a box before him, which was locked, and there was a slit at the top, through which the election papers were dropped; there was a constable placed at the door of each election-room, and immediately an elector had given his election paper to the mayor, he was turned out of the room by the constable. Some of the electors objected to the election being carried on in such small rooms; but their objections were overruled. There could be no doubt that it was the decided intention of that House that the elections should be open; but the mayor of this borough took care that they should be as little so as possible, and his excuse for not allowing the electors to remain was, that the room in which he chose to carry on the election was extremely small. By the Act of Parliament it was not incumbent on the person presiding at the elections to put any questions to the persons tendering their voting papers, unless he was required to do so by two of the burgesses present; he then had merely to ask whether the party presenting himself to vote was the person represented in the voting papers, and also whether he had voted before. On these questions being answered in the affirmative, the voting paper was taken. The burgesses were not at liberty, however, to do so in this case, in consequence of not more than one being allowed to be in the room at the time. At length they pressed the mayor on the point; and, on their urging him to put the questions to persons presenting themselves before him to vote, he refused to do so, on the ground that it was then too late in the election, that it had gone on too far, and was then greatly against their party, and, without looking whether the papers presented to him were signed or not, he put all into the box before him. When the election was over it became the duty of the mayor to see who were the successful candidates. The election took place on the Saturday, and he stated at the close of the poll that he would give the result on the Monday. He was then pressed to agree, that when the boxes were opened, that certain of the burgesses should be allowed to see the papers, so as to form a just estimate as to the state of the votes. He objected, however, to this, no doubt because he supposed that it would destroy the scheme that he had in view. On the Monday, also, instead of declaring the numbers that had voted for each candidate, he merely declared that certain persons, whose names he read, had been duly elected by a majority of votes. In one of the wards, that in which he presided, he stated that nine persons had been elected councillors, all of whom belonged to the party to which he was attached; and in the other ward, two out of the nine declared to be elected were of the same party. The consequence of this was, that eleven councillors were elected favourable to the old corporation, and seven of the opposite party, and the former, of course, had the preponderance in the election of the aldermen, and they thus added six more to their party. The mayor admitted that he had found several papers in the boxes having the same names attached to them, and apparently voting for both lists of candidates, and he stated that in such cases he had always chosen that list which suited him best, and supported the party to which he belonged. It appeared from an inquiry which had been made, that the two councillors of the old corporation party that had been returned for one of the wards, had not been voted for by the majority of the electors. If those two persons, therefore, had not been returned, there would have been an equality of voters, and much of what he had to complain would not have followed, as there would have been an equality of parties. If those two had not been returned as elected, he should not have been called upon to ask for Parliamentary interference; but as the body as returned as duly elected had the right to elect the aldermen, and also to expend all the funds of the corporation, he thought that he was justified in calling upon the House to institute an inquiry, with a view ultimately to set aside the election. What were the consequences of the steps taken in this election? The councillors had the election of all the officers of the corporation, and proceeded at once to choose those who were favourable to their party. This, however, was not the case in one remarkable instance. Although the town-clerk was one of the strongest friends of that party, they turned him out and appointed another of their partisans in his stead; and this they did that they might enable the former to obtain compensation for his office. According to the general rule (when compensation was to be granted under the Municipal Corporation Bill,) one-third of the council might object to the amount proposed to be given, and might appeal to the Lords of the Treasury; but in this borough things have been so managed, that just something more than two-thirds of the voters in the town-council were friends of the old corporation. Supposing the pay of the town-clerk was about 20*l.* a-year—and he believed that it was not much more than that in the present case—but then there was a large addition by the fees which were paid to that officer —what would the House say if the sum of 7,000*l.* was proposed to be granted to him as a compensation? and this he understood was the amount claimed. The income of the corporation of Poole was 800*l.* a-year, and if the amount he had stated was given as compensation in this instance, and a similar scale of expenditure was adopted in other cases, nothing whatever would be left to carry on the business of the corporation. From the register that had been kept, it appeared, that in the ward in which the mayor presided 189 burgesses had voted, and the persons who had signed the petition which he had to present to the House stated, that 100 of these burgesses declared that they had voted against the candidates of the old corporation party. In the other ward 160 burgesses had voted, and ninety of those who had signed the petition declared that they gave their votes also against the candidates on that side. Now, although he did not mean to say, that some of the petitioners might not have voted for the mayor's party, still all of them were so fully aware of the evil consequences likely to ensue to the town from the present state of things, that they had petitioned the House to set aside the election and give them the benefit of the Corporation Reform Bill. The House was aware that proceedings had been adopted in the Court of King's Bench against two persons in the latter ward, calling upon them to show by what right they held the office of councillors. But even if this was successful he did not think it was sufficient; but he thought they ought to vacate the election altogether. He now, having shortly stated the facts of the case, trusted he had said sufficient to induce the House to consent to his motion.

Sir *Frederick Pollock* was not sufficiently acquainted with the business of the House of Commons to say, whether an hon. Gentleman was justified or not in making a Motion for a Committee of Inquiry, because he might have heard something that had taken place at an election which appeared to him to be irregular. The House was not even aware of the contents of the petition, unless from the description of the hon. and learned Gentleman. He took it for granted that the petition would have been presented to the House and printed, that hon. Members might be aware of the facts of the case before being called upon to vote for a Committee of Inquiry. He did not intend to take any part in the discussion itself, or to vote on this question, as he had been professionally consulted by one of the parties who had been called upon to appear in the Court of King's Bench, and he had made the observation with which he had troubled the House rather on a point of form than anything else. He might add, that it was a general rule that he had laid down for the governance of his conduct since he had entered Parliament, never to take any part in the discussion of, or voting on, any question on which he had been professionally engaged. In this case an application was made on the last day of the last term, by his learned Friend the Attorney-General, for a criminal information for conspiracy against the parties alluded to by the hon. and learned Gentleman. As it was not usual for the Court to entertain motions for criminal informations on the last day of term, his learned Friend postponed his application, but stated that he should renew it on the first day of next term. He trusted that the House would not interfere in a way which might prejudice the parties against whom the criminal information was intended to be applied for. He was not, however, prepared to say whether he would resist inquiry or not. He felt bound to say what he had, and he should leave the House.

Mr. *Hume* presumed, as a matter of course, that his hon. and learned Friend might present the petition and have it printed; and he would recommend him to renew his Motion for inquiry on a future day, as the House was not aware of the contents of the petition. He thought the hon. and learned Gentleman opposite had advocated a dangerous doctrine in saying he would not, as a Member of Parliament, give a free opinion, because he had been retained as counsel in the case. If such a principle were to obtain, how easy would it be for a party who feared proceedings might be adopted against him in this House, to retain five or six of the most eminent men at the bar who were Members of Parliament, so as to prevent them taking any part against him. If the hon. and learned Gentleman entertained such an opinion, he had better vacate his seat; for, according to his notion, the duties of a Member of Parliament and an advocate were incompatible. If the rule was laid down that inquiry was not to take place in this House because the matter was then pending in the Court of King's Bench, nothing would be easier than for a party wishing to prevent such inquiry to get some person to take the case into Court.

Mr. *Williams Wynn* concurred in the opinion that the petition should be presented before the debate was proceeded with, although there were cases in which inquiry might be justifiable, if an hon. Member stated facts which came within his own knowledge. He could not agree at all in the observations made by the hon. Member for Middlesex with reference to his hon. and learned Friend. There were feelings of delicacy which would apply to every honourable mind, which would induce a person to abstain from taking part in the Parliamentary discussion of a case in which he was professionally engaged. An advocate was generally in the confidence of parties, and communications were constantly made to him which it would be contrary to every sense of justice for him to use elsewhere against his client. He thought, therefore, it was the more delicate course for a party who was engaged professionally in a cause to abstain from speaking or voting on it in the House of Commons. He agreed with his hon. and learned Friend that it would be highly inconvenient to have an inquiry going on before a Committee of the House of Commons, while it was the subject of a cause before a court of justice. In extreme cases, such as high treason, it might be necessary to send evidence to a Committee of the House of Commons to take measures for the safety of the country.

Mr. *Blackburne* would for the present withdraw his Motion. He would, however, lay the petition on the Table, and move that it be printed, and call the attention of the House to it on Monday next.

Mr. *Tulk* wished to say a few words as connected with the borough of Poole. No less than eighty-eight affidavits had been made by burgesses of the west-ward in Poole, who stated that they voted in a particular way on the last election, and although they formed the majority of the burgesses of the ward, a return was made contrary to their votes. These had been filed in the Court of King's Bench, and had not been contested. He was sorry to say that the Mayor was his particular friend at two elections, and still more sorry was he to add, that he constantly refused the demand made to him by the burgesses for free access to examine the papers, and he persisted in his refusal till he was forced to comply by the Court of King's Bench. When they were examined it appeared that the majority had voted one way, although he had declared that they had voted another.

The petition laid on the Table; ordered to be printed.

HOUSE OF LORDS,

Thursday, February 18, 1836.

MINUTES.] Petitions presented. By Lord HOLLAND, from certain Baptists, for Relief; and by Lord ABINGER, from Brecknock, in favour of Mr. BUCKINGHAM'S Claims.

COMMUTATION OF TITHES.] Lord *Dacre* presented a Petition from the Owners and Occupiers of Land, and the Tithe Owners of the Eastern Division of the County of Kent, praying for a Commutation of Tithes. He was anxious to bring under the notice of their Lordships one part of the petitioners' case. They stated, that in their opinion, the adoption of commutation, on a scale of recent payments for tithes, would operate as a permanent exaction of very considerable inequality and great extent. He concurred in opinion with the petitioners, and would add, that if a scale of commutation should be formed from present payment, or upon the value of the present actual produce, it would operate in the same manner, though not in the same degree. In any mode of commuting tithes, the charge of a perpetual annuity on poor land, would be more than equal to the rent, if recently cultivated by the application of extraneous capital.

Petition laid on the Table.

AGRICULTURAL DISTRESS.] Lord *Wynford* rose to move for the appointment of a Select Committee to take into consideration the Distress of Agriculturists. As it was not the intention of the noble Viscount at the head of his Majesty's Government to oppose the Motion, he should not trouble their Lordships except by moving, for the Committee in the same words as it was moved for in the House of Commons: "That a Select Committee be appointed to inquire into the state of Agriculture, and into the causes and extent of the Distress which pressed on some important branches thereof, and that the Committee should Report their opinion thereon."

Viscount *Melbourne* feared, that those whose sanguine expectations anticipated any extensive measures of relief from the labours of the Committee, would not find their expectations realised; at the same time the noble and learned Lord having thought fit to move for a Committee, the parties most interested themselves desiring it, and many Members of this House thinking it ought to be granted, it was quite impossible for him, especially after the recommendation in the King's Speech, to oppose such a Motion. On the part of the Government, therefore, the Committee was conceded cheerfully, and, although they could not take the conduct of that Committee upon themselves, there was no Member of the Administration who would not feel anxious to give every facility to its inquiries in his power. The statement had been introduced into the King's Speech in order to show to the agriculturists, that his Majesty's Government sympathised in those statements of distress which had been made from every part of the country. Nothing could be more reprehensible than any endeavour to make this a party question; just as if they were not fully aware, that with the interest of the agricultural community, their own interests were closely identified, and that in their prosperity, or adversity, their own adversity, or prosperity, was, in fact, bound up. He trusted that the Committee would enter upon the consideration of this subject on large and extended grounds; but he also, though he was not for limiting the inquiries of that Committee, begged to guard his Majesty's Government against being supposed in any manner to countenance any of those wild remedies which had lately been proposed by certain individuals, and above all, against countenancing anything which could in the slightest degree endanger that preservation of the national faith, or the real welfare and prosperity of the country. Such a measure did he consider the tampering with the currency under any pretence whatever, whether in the shape of increasing the amount of paper money, or in the more avowed shape of debasing the coin. Their Lordships were aware, however much the pressure upon agriculture was to be lamented, that that pressure was not confined to this country. The French Minister of Finance in a speech lately addressed to the French Chamber, had said, that whilst all engaged in commercial pursuits were in a flourishing state, he lamented to say, that the agriculturists were suffering, but that such suffering arose from the low price of grain. Every person who read the newspapers was also aware that the pressure on this interest was so great in Holland, that that kingdom had departed from its ancient system —from that system which it had so long pursued, and which, in point of fact, had been the cause of its commercial greatness —namely, an unlimited freedom of commerce, and had imposed duties on all corn imported; and though doubtless there was some ground for this departure from the old system of that country, he could not but view it with feelings of regret. The Committee would also consider the operation of all the laws respecting and regulating the importation of corn, and consider in what manner they affected the general prosperity of the country, as well as the general prosperity of agriculture. There was one preliminary inquiry which the Committee should make in considering any remedy that might be proposed to them for the immediate relief of agriculture, namely—whether that would have an injurious effect upon any other great interest of the country, for it was quite impossible to depress other interests, manufacturing or commercial, without agriculture itself sympathising in their depression. He trusted that the Committee would take into full consideration all those subjects which, doubtless, would be submitted to them, and he could only repeat, that any assistance or facility which it was in his power to give the Committee, he should feel most happy to afford.

Lord *Ashburton* wished that the noble Lord, in proposing the Committee, had stated the precise objects he intended to bring under its consideration, and the benefits that were likely to be derived by the country from it. It was true, as the noble Viscount had stated, that the whole subject would go before the Committee, to be dealt with in the largest sense; but he was not very sanguine of anything that Parliament could do. He was as much convinced as any man could be of the distress under which that portion of the agricultural interest which constituted the producing part laboured; but at the same time, he felt firmly convinced that little or nothing could be done for them by Parliament. He entirely concurred in the recommendation of the Committee of the House of Commons in 1832, of which he was a Member, that relief was more likely to be afforded by the cautious forbearancce of Parliament from meddling at all, than by any interference of his Majesty's Government. The subject having been mentioned in his Majesty's Speech, the noble Viscount could not do otherwise than adopt the course he had done. He should be sorry however, if the country were led away by the illusion that anything which Parliament could do would materially assist them. The farmers of this country had already a complete monopoly of the consumption of the country. Could Parliament give them more? He did not apprehend that the noble Lord, or the Committee would devise any imaginable measure which could give the agriculturists the relief they sought. He thought it right to make these few observations, not out of any intention to oppose the granting of the Committee, but in order to guard the country from any anticipations of material benefit to be derived from its labours. It was natural for the people of all countries to look to Government for relief, but few were aware how limited the power of any Government must be in cases of this kind. The noble Viscount stated that this question would be largely and generally gone into by the Committee; he should, however, feel some anxiety if the Committee thought proper to deal with a great question, which in his opinion had not the slightest bearing on the agricultural interest of the country, viz., the currency and the standard as it at present stood. There never was a greater delusion practised than in the statement that it had the slightest effect in creating agricultural distress. The standard of the country was a subject of great importance for it affected all the interests of the nation, and had no more to do with the distressed state of agriculture than with any other portion of the industry of the country. He had taken the liberty of making these observations, lest it should go abroad that the Members of that House, or a majority of its Members, were inclined to countenance anything in the shape of a depreciation of the currency. It would be quite easy to show to the agriculturists that it was particularly their interest to oppose any depreciation of the standard as a measure which would be more injurious to them than to any other class; for, unless they at the same time completely altered the existing corn-laws, a reduction of the standard would have the effect of depriving them of the protection which they at present enjoyed, and break in upon that monopoly of the corn-market which they at present possessed. The protecting duty on corn at present kept out the foreign corn-grower until the prices here rose to 60*s.* or 65*s.*; but if the standard were to be reduced, the value of that protection would be reduced from that sum perhaps to 40*s.* or 45*s.* Never was a more wild and absurd notion than that Parliament could be guilty of such consummate ignorance and such consummate bad faith as to be induced to tamper in any way with the standard of circulation in this country; nor was anything more wanting to add to this absurdity than that the notion should be especially fostered by the farmers, who of all men would be most injured by its realization. He had expected that the noble and learned Lord who moved for this Committee, would have favoured them with his views upon the question; but the noble and learned Lord had not done so. He should not, therefore, advert to some of those points to which he should otherwise have felt it necessary to allude. Some persons had, he knew, put it forth as their opinion, that the present protecting corn-duties were rather injurious to the English farmers than otherwise. He thought differently, and it was his belief that the farmers must look to the strict maintenance of those laws, as affording them the only security for the preservation of their property—the only chance of deriving a reasonable profit from the expenditure of their capital, and the application of their industry. When first proposed, the advantage to be derived from them was of course speculative—all artificial systems of this kind were matters of experiment—but the experiment had been tried with success, and the result proved that protection to the farmer was not inconsistent with the general interests of society. Again, he would call upon all persons interested in this question to beware of yielding to the delusion that any relief could fairly be anticipated from tampering with the currency.

The Earl of *Winchilsea* finding that the noble and learned Lord had placed his name upon the Committee, requested that it might be withdrawn, for he certainly was one of those who, in common with a considerable body of practical men in this country, had paid the greatest attention to the question of agricultural distress, and who laboured under the delusion that the currency had a particular bearing upon the subject, although he did not attribute the existing distress entirely to that cause. Whatever his opinions in this respect were he was the last man to tamper with the currency, or to tamper with public faith or public credit. But he did believe that the alteration which had taken place in our currency had materially affected the agricultural interest. It had contracted the circulating medium of the country, and by contracting the circulating medium it had reduced prices—it had put it out of the power of the farmer to obtain that credit of which he could formerly avail himself, and compelled him to take his produce to the first maket, and sell it there at any price it would fetch, however low, because he wanted money, and could no longer obtain it on the credit of his stock from the country banker. Not that he advocated a return to the old system of country banking, for nothing could be more pernicious than that any man, or any body of men, should be allowed to issue notes without limit, and without any guarantee of their capability to meet the demands which might in consequence be made upon them. If the consideration of the question of the currency was to be excluded from the inquiry of the Committee, he thought the Committee was a mere delusion, and it had better be given up altogether, for it would not give satisfaction to the agricultural body. nor would it give satisfaction to a very considerable body of practical men in this country, who entertained very strong opinions upon the subject. Of course it was not the only question which ought to engage the attention of the Committee. Amongst other things there were certain public burdens which were thrown exclusively on the land. Public prosecutions—the maintenance of highways—the preservation of the public peace; in the benefit of all these the community at large partook, but the whole expense was thrown exclusively upon the land. There were also other subjects which would come within the scope of the inquiry; but, if the question of the currency were to be excluded, the Committee appeared to him to be useless.

Lord *Ashburton* never suggested that the Committee should exclude the consideration of the currency. He was anxious that the noble Earl should be on the Committee, because he should then be certain that the question would be fully discussed. He was merely anxious to prevent the getting abroad of any impression that they were, in the slighest degree, disposed to countenance the depreciation of the standard.

The Marquess of *Westminster* was unwilling to prolong the discussion, but he might perhaps be allowed to say a few words, for he agreed in part with what had fallen from the noble Earl, and also in part with what had fallen from the noble Lord opposite (Ashburton). He was surprised to hear, for he was not in the House at the time, that the noble and learned Lord who had moved the appointment of this Committee had done so without giving any reasons for it, or entering into any statement of the position of this interesting question at this particular period. Nor did the noble and learned Lord state what course of inquiry he should propose for the adoption of the Committee, nor the probable remedies which he should submit to their consideration. This he thought the noble and learned Lord ought to have done. As it was, he feared the country would be much disappointed by the result of the Committee's deliberations. The noble Viscount at the head of his Majesty's Government had assented to the proposition for a Committee, and, under all the circumstances, the noble Viscount was right in doing so. It was desirable that their Lordships should appoint a Committee of inquiry, but it was also absolutely necessary that the country should understand that very little could be expected to result from it, and if the agriculturists expected any benefit from it they would be greatly disappointed. The noble Viscount had said the Committee would, in the course of the inquiry, advert to the existing corn-laws, and the noble Lord opposite (Lord Ashburton) had protested against any alteration on that head. Now, if he thought that the Committee to be appointed would recommend, he would not say the entire repeal of the corn-laws but the repeal of almost the whole of the regulations affecting the importation of corn, preserving a small duty only, he should look upon the Committee with a much more favourable eye than he did at present. It would be the wisest course they could adopt. The advocates for the corn-laws argued for them as a protection to the farmer. Now, as far as these laws were to be regarded as a protection to the landed interests, they had completely failed, for corn had for some time past been lower in price than ever, and yet foreign corn had been completely excluded from the English markets. Without entering into any lengthy arguments on this point, which would be altogether out of place on the present occasion, he would confine himself to the objection that they gave a monopoly, and never yet was there a monopoly which was not prejudicial to the public interest —there never yet was a monopoly which did not fail of accomplishing the end it proposed to attain. If he thought that the Committee would entertain this question, and come to the same conclusion with himself, no one would more cordially support the Motion than he would; but he knew too well that no such result would follow. The noble and learned Lord had not stated what his proposed remedies were, but if he could judge from the noble and learned Lord's speeches elsewhere, and the resolutions of the Central Agricultural Association, of which the noble and learned Lord and the noble Earl were Members, those remedies were of a nature that he could not countenance. He never was more surprised in his life than at the extraordinary resolutions to which that association came the other day. It was, perhaps, somewhat difficult to understand their meaning; but, if he read them aright, either they arrived at a Bank Restriction Act, or, failing that, to sponge out a very large portion of the national debt. As to the first point he agreed with the noble Lord (Ashburton), that nothing was less likely than that the Committee would agree to recommend the renewal of Bank Restriction. Our currency and our credit now stood on a solid foundation; and so long as our credit was solid, there was no fear of the want of a sufficient quantity of paper and money to meet the ordinary wants of the community. As to the equitable adjustment in 1819, when the alteration was made, it might have been proper to have contemplated its possibility and its prudence, but he did not now see how any equitable adjustment could be made. Doubtless the landed interest was heavily burdened—more heavily than the monied interest. A man who derived 5,000*l.* per annum from a money investment might live upon 50*l.* per annum, and add the whole remainder of his income yearly to his principal, whilst a man who derived a smaller income from land had to submit to fifty deductions before he could touch a farthing of it. The advocates of equitable adjustment said, "You cannot burden the landed interest any more. We are willing to do our best, but if our burdens press so heavily upon us as to prevent our paying the interest of the national debt, and if you cannot remove those burdens, there is no remedy but sponging out some of the principal." He should not discuss these questions at present. He regretted that the remedy which an alteration of the corn laws would, in his opinion, afford, was not likely to be regarded favourably by the Committee. He should not oppose its appointment, but he anticipated that very little advantage would result from its labours.

The Earl of *Winchilsea* was sorry to have been understood as advocating a depreciation of the currency. So far from considering such a measure beneficial to the landed interest, he agreed that it would be most injurious. He was certainly a member of the Agricultural Association, but it was perfectly well understood that his independence as a Member of the Legislature would be in no wise compromised by any resolution of the Association. Though he had not heard a depreciation of the currency advocated, he had heard many persons advocate an extension of the circulating medium of the country, and he agreed that such an extension would materially lighten the burdens of the agriculturists; but there was a wide difference between this and depreciation. With regard to what had been said about equitable adjustment, he was sure that no men were more willing than the agriculturists to pay their utmost to maintain the national faith in the most unlimited sense of the word, but the distress that had fallen on them was so great, that many of them had put the question, what were they to do if they could not pay the interest? [The Marquess of *Westminster*: An equitable adjustment was proposed as an alternative.] It was not proposed as a remedy to sponge out the national debt. The landed interest was most desirous of keeping good faith; but if they could no longer pay, what was to be done?

The Marquess of *Westminster* remarked, that was precisely what he stated—that in the presumed event of the agriculturists being so hard pressed as to be unable to meet the demands made upon them, and a Bank Restriction Act being refused, they would look to an equitable adjustment as the only alternative.

Lord *Wynford* was exceedingly sorry that the course which he had felt it his duty to take had not met with the approval of the noble Marquess, for whose opinions he had the highest respect, and in conformity with whose judgment he was most desirous of acting. But, notwithstanding what had fallen from the noble Marquess, he still thought, that as the motion was not opposed, it would have been highly improper in him to have introduced it with any formal speech. His Majesty, as the noble Viscount opposite had very properly reminded him, had himself called their attention to it in the Speech from the Throne, and the House of Commons had already appointed a Committee to inquire into the causes and extent of the existing distress, and into the remedies of which it is susceptible. It struck him that nothing could have been more absurd than for him to have got up and detailed reasons for going into an inquiry which every one admitted ought to be made, and specifying remedies which it was the very object of that inquiry to ascertain. He was one of those persons (perhaps he was influenced by the habits of his previous life) who would rather decide after he had heard the facts than before. As to the desire of his noble Friend (the Earl of Winchilsea) to withdraw from the Committee, he should be most sorry to assent to such a proposition, for if his noble Friend despaired, then must he despair also. Had he despaired of affording the agriculturist relief he need not have done what he had—had he despaired he should not have proposed to their Lordships to go into a Committee of Inquiry. He only desired a fair, impartial, and searching inquiry. He only desired that what justice dictated to be done should be done; and he was quite sure, that when the facts of the case were fully before them, they could not fail to devise some remedy, which, if it did not entirely remove, would at least mitigate, the distress. The other branches of industry, which were now flourishing, had been as much depressed at times as agriculture at the present moment; and he saw no reason to doubt that, if strict justice were done, better times would again return, and the agriculturists be as prosperous as a body of men so numerous, so industrious, and so important to the welfare of the country, ought to be. He disclaimed anything like a desire to derange the currency. He had heard some persons advocate the extension of the circulating medium; but that was another matter. Indeed, he had often heard his noble Friend (Lord Ashburton) advocate a silver standard, yet no one considered that as an attempt to derange the currency so as to affect the national credit. What his own particular views were he should not at present state, because they would be naturally influenced by the facts which might be involved in the course of that inquiry. He should therefore simply move for the appointment of a Committee of Inquiry.

Committee appointed.

Spain.] The Marquess of *Londonderry* would take this opportunity of asking, whether the noble Viscount (Viscount Melbourne) would object to produce the letter written by his noble colleague at the head of Foreign Affairs to the Government of the Queen of Spain, relative to the twenty-seven prisoners of whom he had spoken on a former evening, and the answer received thereto? This would enable him to see if the noble Secretary for Foreign Affairs was sincere in his professions of anxiety to obtain the release of the unfortunate men he had referred to. He would also ask if the refusal on the part of the Queen of Spain's Government had prevented the noble Viscount's colleague from taking any further steps? He was anxious to press this point, for last Session, with the assistance of his noble Friend behind him, he had, by repeatedly adverting to the unjust imprisonment of Captain Campbell by the Portuguese Government, succeeded in obtaining the liberation of that gallant officer, and he was sure that if their Lordships felt as he did the hardship of the case of these twenty-seven unfortunate prisoners, who were made captives against the law of nations and against all precedent, they would unite with him in calling upon his Majesty's Government to use such strong and decided language to the Spanish Government, as would, doubtless, insure their immediate liberation.

Viscount *Melbourne* had no objection to produce the papers. The persons in question were removed from Santander to Corunna for this reason—that at the former place their lives were in danger. He saw no reason why the refusal that had been given should prevent his noble colleague from persevering in his efforts to procure their entire liberation. At the same time he did not admit the statement of the noble Marquess, that those prisoners were taken against the law of nations, or the rules of war.

Papers to be moved for to-morrow.

HOUSE OF COMMONS,

Thursday, February 18, 1836.

MNUTES.] Bills. Read a first time:—Poor Relief (Ireland).

Petitions presented. By Mr. Sergeant TALFOURD, from Protestant Dissenters at Reading, for Relief.—By Mr. STRUTT, from Independents of Derby, to the same effect.—By Mr. SHARMAN CRAWFORD, from the Reverend W. Handcock, Rector of Clontarf, for the Abolition of Tithes in Ireland.—By Mr. FIELDING, from Todmorden, in favour of Mr. BUCKINGHAM'S Claims.—By Mr. WARBURTON, from Bridport, to the same effect.—By Mr. STRUTT, from Derby, for the Abolition of the Newspaper Stamp Duty.—By Mr. HUTT, from Licensed Victuallers at Hull, for the Repeal of the Additional Duty on Licenses.—By Sir HARRY VERNEY, from Parochial Unions of Buckingham, for Extending the time for paying for Workhouses.

CHARTER FOR A LONDON UNIVERSITY.] Mr. *Wakley* rose for the purpose of presenting a Petition from the Rev. J. A. Emerton, master of a school at Camberwell, and curate of that parish, on the subject of the Charter to be granted for a Metropolitan University. The petitioner had understood that it was intended to limit degrees to the pupils of only two schools, by which the interests of private schoolmasters would be materially injured. In April last this House had addressed the Crown by a large majority in favour of a charter to the London University, a grant which was solicited from all parts of the country, on account of the manner in which Dissenters were excluded from academical honours at Oxford and Cambridge. He should be opposed to any change which would place Oxford and Cambridge in the hands of persons hostile to those universities; he wished to see abuses corrected, but not the universities subverted; but he wished to know whether, in establishing a new institution of the same kind in London, it was intended to found another monopoly? Were Dissenters to be excluded there also? He exceedingly regretted that the Chancellor of the Exchequer was not in his place, because he was anxious to hear the right Hon. Gentleman state what were his views and intentions upon the subject of the new charter. Was it right that the conditions of that charter should be framed in secret, and that the Members of the House should know nothing about them until the document received the sign manual of the Crown? This was a species of Star-chamber legislation that ought, if it existed, to be abolished; it was an abuse of the royal prerogative that could not be too soon corrected. He hoped that the House would interfere in a matter regarding which it took so much interest, and require that a draft of the intended charter should be laid upon the Table. It might soon become the law of the land; and was it fit that any law should be promulgated, with the nature of which the Legislature of the country was unacquainted? At present there was reason to believe that students in private schools, who were under the moral control of masters, would be shut out from the honours of the new institution; while students who were under no such moral control of the professors, would be allowed to partake of them. Before the charter was confirmed, he trusted that Ministers would, at least, inform the House what were its conditions. True it was, that they might be responsible for the insertion of improper conditions; but he did not see in what way they could be brought to account if they offended. As to the gentleman with whose petition he was intrusted, he could state that he was a well-wisher both to the London University and to King's College, and that he was sincerely friendly to Oxford and Cambridge.

Petition to lie on the Table.

CONSTABULARY OF IRELAND.] Viscount *Morpeth* said, he should not think it necessary to trouble the House at any great length upon the subject which he was about to bring under their consideration, because the Bill, for the introduction of which he should move, differed but little from that which he brought forward last Session, and which passed that House without a division, and, he might say, with almost the unanimous assent of every Member. Why that measure did not pass the other branch of the Legislature he had not been able to ascertain, for its leading features were derived from the provisions of Bills introduced by Members of former Administrations. Nor would it answer any good purpose to taunt the other House on the subject, or inquire into the motives by which they were actuated in refusing to pass the measure. One of the assigned reasons was the late period of the Session at which the Bill was sent to that House; and it was to obviate that objection that he now brought the measure forward again so early. He hoped that it would meet with the approbation of all classes—for he could justly say that it had no party tendency—and he trusted, therefore, that it would be now brought forward under happier auspices than its predecessor. The Bill which he proposed to introduce differed from that of last Session mainly in that it repealed the laws by which the constabulary and peace establishment in Ireland were at present formed and regulated; not with any view, however, to suppress those bodies which, with a few drawbacks, had been found to work well for the country, but in order that a sufficient force should be established under one improved and uniform system. The continuance of the present force had been provided for until the new one was organised. The Bill would enable the Lord-Lieutenant, instead of the four Inspectors-general, who now had the chief regulation of the police force in the four provinces of Ireland, to appoint one Inspector-general for the superintendence and management of the police force; and under him there were to be two Deputy-inspectors. It vested in the Inspector-general, subject to the approbation of the Lord-Lieutenant, the power of making rules and regulations for the government of the police force. Without entering into the minutiæ of existing Statutes, it was enough at present to say, that this authority would be accompanied by provisions better suited to the present time than those which at present existed. The Bill would also enable the Lord-Lieutenant to appoint county inspectors, and under them sub-inspectors, as well as a person to act as paymaster and storekeeper; and in the three largest counties, Cork, Galway, and Tipperary, there would be two of those officers. The appointment of all the police constables, whether chief or sub-constables, was placed in the hands of the Government. And this was, perhaps, the most material alteration in the Bill, transferring as it did the power from the local Magistracy to the Lord-Lieutenant. It was a material alteration, but he humbly submitted that it was a most important and judicious one. The Bill proposed that the Lord-Lieutenant should have the power of decreasing, or increasing the police force, according to the circumstances of the case. This would supersede all the cumbrous machinery which it now became necessary to resort to whenever a district was to be proclaimed; and would enable the Lord Lieutenant to diminish the amount of the police force with corresponding rapidity. With respect to transferring the appointment of the police force from the local magistracy to the Government, although that appointment would be nominally in the Crown, it would be practically in the hands of the Inspector-General. He (Lord Morpeth) contended that such an officer as the Inspector-General would be able to exercise a much more careful and a much more unbiassed choice than could be expected from so numerous a body as the local magistracy. Without imputing any improper motives to that body, without ascribing to them any other political feelings than would be found to exist in any equally numerous body of the same station in society, it was clear that the magistrates would in most cases be very desirous to appoint their own friends. Now, as he apprehended, the Inspector-General would be influenced by motives much more unbiassed, and his only object would be to make his force as efficient as possible for the public service. As a proof that the present mode of appointment was not the most advisable, he would mention that there had been instances of magistrates in some counties voluntarily divesting themselves of the power of appointment; and he believed it would be found that they had never repented. A few days ago he heard that five men who had been recently appointed to the constabulary force in Ireland had distinctly admitted that they belonged to a secret political society; and he found that, within the last three months, there had been dismissed upon that single ground, in the province of Ulster sixteen, in the province of Leinster thirty-one, in the province of Munster thirty, and in the province of Connought nineteen; so that in the whole of Ireland, within the short period he had mentioned, no fewer than ninety-six constables and sub-constables had been dismissed for belonging to secret societies. The proposed measure, he trusted, would prevent such a disgrace from again falling on the public service; for it proposed, that besides the oath to which the constables were at present subject, they should take an oath, that they were not members of any secret or political society. Magistrates were to be empowered to fine constables guilty of a neglect of duty in the penalty of 5*l.* It was also proposed to establish a supernumerary reserved corps, who should be trained at certain periods, and who should be called in on special occasions to the assistance of the permanent force, and out of that body it was proposed to make all appointments for the permanent force. Power was given to the Inspector-General, subject to the approbation of the Lord-Lieutenant, to move the force from one county to another. With respect to the amount of salaries, and other details, it would be better to reserve those matters for consideration when the Bill should go into Committee. By a provision of the Bill, two per cent was to be deducted from the salaries of the force, for the purpose of constituting a superannuation fund; and also 10*s.* per cent from all salaries for the police reward fund; the object of which was to reward those whose conduct entitled them to particular distinction. Such were the main features of the Bill which he had the honour to propose, and he confidently hoped that it would be found to be an improvement upon the general system, that it would render the constabulary force more effective, and that it would tend to the preservation of the public peace. He, therefore, begged to move for leave to bring in a Bill to amend the Acts relating to the Constabulary of Ireland.

Colonel *Conolly* did not rise to oppose the Motion; but he thought there were some parts of it which must necessarily excite the apprehension of the Magistracy in Ireland, considering the course which his Majesty's Ministers had chosen to adopt in that country, where they had made the Executive Government, he might almost say, subservient to the system of agitation which had prevailed in that country for many years. Although he himself did not look upon it with apprehension, he could not look upon it otherwise than with distrust, seeing that a large and respectable body, against whom no objection had been made for a long series of years, who were now mature in their organization, and imbued with a knowledge of their duty, were to be removed and dispersed, and a new system was to be adopted without any grounds having been stated for the alteration, or any sufficient advantage anticipated from it. The noble Lord had terminated his speech by saying, that he hoped the new system would be economical. If it were economical, that alone would not justify so great a change; but he apprehended that the result would be the reverse of economical. He also objected, on constitutional grounds, to making that great force, which ought to be amenable to the Magistracy of the country, altogether independent of them. He had been a Magistrate for many years, and he thought that that course had been too extensively adopted in Ireland already; because he was convinced that the placing of the body in question on a footing which would render them independent of the Magistracy, could not fail to be injurious to the Magistracy, and pernicious to the community. Various parts of the enactments were, in his opinion, objectionable; and he should watch with great jealousy the diversion of power from the hands of those in whom it was legitimately placed, into the hands of those from whom the worst was to be apprehended. As to the superannuation fund, he thought that that was a fair proposition.

Mr. *Lucas* rose for the purpose of protesting against the transfer proposed by the noble Lord. He conceived that the local Magistrates were the persons in whom the appointments ought to rest; and he could not agree in the propriety of transferring the appointment of the constables to the Lord-Lieutenant. He believed he spoke the sentiments of his own county, as well as those of the landed proprietors of Ireland generally. The Magistrates of his own county had had two meetings on the subject; and he knew that he was speaking the sentiments of most of the resident gentry and landlords of the county, when he said, that the Magistracy was the constitutional body by which the constabulary was to be appointed. The Magistracy knew the characters of the persons who applied to be appointed, which the Inspector-General could not do. He must protest, therefore, against the transfer of the appointment of the constables from the local Magistracy and resident landlords to Government. It might be said, that the Magistrates would be influenced by a system of favouritism in recommending their own tenantry to the office of constable, but he must protest against such a doctrine. He was old-fashioned enough to think that the Magistrates were the more constitutional authorities. The character of the gentry of Ireland had, indeed, fallen low, if they were not thought worthy by that House, or by his Majesty's Government, of retaining such a power. He protested against such a doctrine in the name of the Magistracy and gentry of Ireland, and on the behalf of the whole empire; for he was sure that the gentry of Ireland were not inferior in any respect to the gentry of England, or to the gentry of any country in Europe. Though he did not agree with his Majesty's Government in politics, it was upon other grounds that he opposed the present proposition. He meant no disrespect to his Majesty's Ministers, or to the noble Lord, but he for one could not consent that the appointment of the police force on which depended the tranquillity of Ireland, should be hung dangling on the finger of any Secretary of Ireland.

Lord *Clements* denied, that taking from the Magistracy of Ireland the power of appointing constables would degrade them in any way. In the province in which he resided, the Magistrates, so far from having any objection to the change, had voluntarily given up the power of appointment to Major Warburton, the Chief of the Police. He was informed that a similar step had been taken in Munster. If, therefore, the measure were at once advantageous to the community, and agreeable to the Magistrates, what more need be urged in its favour? How stood the case in this city? Was the appointment of the police vested in the hands of the Magistrates of Bow-street? No: the power was lodged in the hands of those who were to govern and command the force. He had never, however, heard that Major Warburton had hesitated to take into consideration the recommendation of the local Magistracy; and the Gentlemen opposite, therefore, had no right to suppose their representations would be unattended to. He thought it was a calumny upon Government to say, that they wished to degrade the gentry of Ireland, and he believed the opposition to the measure was the effect of party policy and party tactics.

Sir *Robert Bateson,* after the very extraordinary speech of the noble Lord, could not be silent. As an Irish Gentleman, he could not sit still and hear the Irish Magistrates compared to those of Bow-street. Nor could he allow the assertion of the noble Lord, that the opposition to the measure was the result of party policy and feeling, to go uncontradicted. In the very temperate and able speech of the hon. Member for Monaghan, there was not a syllable that could be construed into party spirit; and he (Sir Robert Bateson) agreed with that hon. Gentleman, that it would be impolitic to place in the hands, not only of the present, but of any Government, the power comprehended in the Bill. He did not wish to see the constabulary force converted into a *gendarmerie,* without any control on the part of the Magistracy. The Inspectors-General might be men of temper, judgment, and impartiality, but they might be zealous political partisans. They had heard one of them declare, that he knew of no secret society but one—the Orange Society; although in every county in Ireland they were surrounded by Ribbon Societies and other illegal associations; that person was either so ignorant, or so blinded by party feeling, that he was unable to distinguish the fact. As to the benefit of having stipendiary Magistrates, no benefit had been derived from them in the part of Ireland with which he was connected. To show that the system was not one of fair play, and that it was liable to be operated upon by party and political bias, he would state a circumstance which had come within his own knowledge. He made a complaint of a sub-constable to his officer, and required that he should be reported to Sir Frederick Stoven, the Inspector of the province; the officer replied, that the individual in question was a man of bad character, and could not be trusted, but that as he (the sub-constable) was a Roman Catholic, and as he (the officer) could not afford to lose his place, he could not report him as desired [*loud cries of " Name, name."*] What he had stated was the fact, but he would not give the Gentlemen opposite the gratification of naming the individual of whom he spoke. After such a specimen of the impartiality of the Government, it was not surprising that he should feel disposed to give every possible opposition to the present attempt to extend so injurious a system. He for one should object to place further power in the hands of that faction which ruled the Government of Ireland.

Mr. *O'Connell* observed, that the hon. Baronet had taken leave to mention the name of Sir Frederick Stoven, but refused to give the name of the officer with whom the hon. Baronet had been in communication. That was not justice! The hon. Baronet took care to mention the name of the accused, but he carefully concealed the name of the accuser. Now, if the story was true, if it was not a delusion practised on the hon. Baronet, the person so charged ought not to be permitted to retain office for a single hour. But it was an accusation brought forward on anonymous authority. The present Government was assailed, because it was the first Government that had ever acted towards Ireland on the principles of justice. He did not know what effect his support of the Bill might have upon its fate. Perhaps it would be more prudent were he to absent himself, or to take his seat on the other side of the House. In Kerry, where the matter was first considered, the Magistrates had voluntarily surrendered into the hands of Major Millar the power of appointing persons to the police force. Clare, and some other counties in Ireland, had done the same thing; and the greatest advantages were found to result from it. In the first place, it did away with much village favouritism, and every other species of improper influence, in the selection of constables. In the North of Ireland, however, the Magistrates had not adopted this course; and therefore the Government found it necessary to take the matter into their own hands. In such a country as Ireland, power ought never to be left in irresponsible hands. At New Ross two constables were lately broken. One of them had exclaimed to a crowd of persons in a public-house, "Now for a bumper!" and having filled his glass, he gave as a toast, "The Pope in the pillory, the pillory in Hell, and the Devil pelting him with Popish priests." The other gave as a toast, "May the ears of all the Papists be nailed to the chapel-doors, and the chapel transplanted into Hell!" These men were dismissed; but what remedy had the public against the Magistrates for having appointed such men? If the appointment lay in the Government, the moment such a charge was brought the censure of the House would fall on the Lord-Lieutenant by whom the appointment had been made. It had not been asserted, that any of the Magistrates of Ireland were Ribbonmen; but was it denied that many among them were Orangemen? Was it not a fact that the principal functionaries of the Orange Lodges in Ireland were supplied from the Magistracy? Would it be contended that the Grand Orange Lodge was the fittest body in which to vest the appointment of the police? In his opinion, Government had done wisely to seek to have the appointment vested in their own hands, and he was happy that the subject had been taken up by the present Government—the first that had ever shown a disposition to do justice to Ireland.

Mr. *Shaw* would not enter upon a general defence of the Magistrates of Ireland on the present occasion, so unjustly treated by the noble Lord's proposition. He was disposed, however, to agree with the hon. and learned Member for Dublin, that it was not proper to place power in irresponsible hands; but he could not agree with the hon and learned Member that the hon. Member for Londonderry had brought forward his charge on anonymous authority. He had stated that the constable had made a communication to him personally; and he had stated that on his own authority. One of the effects of the Bill would certainly be to vest very considerable additional patronage in the hands of the Irish Government. Upon that point, however, it was not his intention then to dwell. As to the appointment of Roman Catholics, he would merely say, that he was one of those who never objected to a man because he was a Roman Catholic; but at the same time he was strongly of opinion that no man ought to be appointed merely because he was a Roman Catholic. He did not mean to give offence to anybody; but he could not help observing a circumstance which had recently taken place in Ireland, namely, that in the appointment of thirty-four new officers—solicitors for conducting prosecutions at quarter sessions—thirty were chosen of the Roman Catholic persuasion. He did not mean to object to any of the gentlemen who had been thus appointed; but looking at the state of society in Ireland, and considering that in the legal profession there was a vast proportion of well-educated Protestants, he would ask any unprejudiced person whether the selection of so many Roman Catholics could be regarded as perfectly fair.

Lord *John Russell* wished to say a very few words on this subject; and in doing so, he should endeavour to steer clear of all differences, whether of interest or passion, that might exist between Irish parties, and to state as briefly and concisely as possible what he conceived to be the general reasons on which the Bill proposed by his noble Friend (Lord Morpeth) was founded. There was at present an armed police force in Ireland, very different from any that existed in England, but which was thought necessary to keep the peace in that country. The object of the Bill now proposed by the noble Lord was to remedy the inconvenience which at present resulted from the imperfect organization of that force. In the first place, it appeared that the police of Ireland were at present subject to the direction and control of four inspectors-general, all four being, as it were, totally independent of each other; therefore, adopting as they thought proper different systems, and each of them corresponding with his own sub-inspectors and thirty constables. By this means there was a want of uniformity throughout the whole system, whilst at the same time there was a great accumulation of business at the seat of the Government in Ireland, which was certainly unnecessary, and which ought properly to be conducted by the head of police. There was another inconvenience arising out of the present system, which it would be the object of the Bill now introduced to remove—namely, that while a great part of the police force was by common consent appointed by the inspectors, another part was appointed by the Magistrates, and by this means became subservient to local interests, to party views, and to the motives and feelings of particular individuals. The object, then, of the present Bill was to place in one inspector-general the direction of the whole police force of Ireland, to give him a complete control over it, to empower him to organize it into one system, and thus to make the police in Leinster and in Connaught act under the same rules and directions. This, he thought, it would be admitted, was an object which belonged not to any particular party, or to one party more than another; it was a national object, an object which all who desired to see the efficiency of the police improved by a proper system of organization, and by that means wished to contribute to the maintenance and preservation of peace in Ireland, would be anxious to see accomplished. In the course of the short discussion which had taken place upon this subject, there had been some insinuations thrown out, most unjustly as he thought, against a distinguished officer, who was now one of the inspectors of police in Ireland, he meant Sir Frederic Stoven, a man of high military reputation and unblemished character. No one in the army would deny the well-merited reputation which Sir Frederick enjoyed as a soldier, and being himself aware of the merits of the gallant officer in other respects, he was sorry to hear anything said within the walls of the House calculated to cast a slur upon his character. But with respect to the command of the police force, which was to be vested in the hands of an inspector-general, it had been the object of the Government, both in this country and in Ireland, to find some person who had been for years unconnected with any party in Ireland; but who, at the same time, should be qualified by habits of command and ability to govern the minds of men, to establish and enforce that discipline so necessary to the efficiency of a general police force in Ireland. For this purpose he had been in communication with an officer who was acknowledged to have been one of the most efficient persons in preserving the peace of this country in difficult times—he meant Colonel Shaw Kennedy. He believed that every gentleman in the House would concur with him, when he said that there was no man whose temper, discretion, judgment, and impartiality, could be more depended upon than those of Colonel Shaw Kennedy. He asked that gallant officer whether he would undertake the government of the police force in Ireland, and he was glad to find that he was not disinclined to do so. Therefore, if the Government should be enabled to pass the present Bill, and to adopt a different system of police in Ireland, his Majesty having approved his recommendation in that respect, Colonel Shaw Kennedy would be appointed to the head of the force. It would, he thought, be necessary for him to observe, that Colonel Shaw Kennedy, connected with no party in Ireland, would perform the duties imposed upon him with the utmost impartiality and exactness, and, at the same time, in such a manner as should give general satisfaction and produce general conciliation.

Sir *Robert Bateson* begged distinctly to be understood that he had not intended, in any observation that fell from him, to reflect in the slightest degree upon the conduct of Sir Frederick Stoven.

Sir *Robert Peel* rose principally for the purpose of confirming, which he did with the utmost satisfaction, the testimony which was borne by the noble Lord (Russell) to the high character and great military reputation of Colonel Shaw Kennedy. His first communication with Colonel Shaw was at a time when he had no personal acquaintance with him whatever; although he knew that he was distinguished in the highest degree for his gallantry in the field, and remembered that he had superintended the whole of the extensive arrangements which it was necessary to make on the return of the British army of occupation from France. On that occasion, too, he recollected that Colonel Shaw had exhibited so nice a power of arrangement, and so ready a talent of combination, as greatly to add to the military reputation he had previously acquired. Aware of these high qualities, when the police force in the metropolis was constituted, the first person to whom he applied to undertake its direction and control was Colonel Shaw. The regret which he felt at Colonel Shaw's declining the appointment, was greatly mitigated by the acceptance of the same office by the gallant officer who now, in conjunction with Mr. Mayne, superintended the constabulary police force in the metropolis. It was, however, with the utmost satisfaction that he now heard from the noble Lord that Colonel Shaw was likely to accept the command of the police force in Ireland. He would venture to say, that no man could be found who would execute all the duties of that important trust with greater impartiality, or with more complete freedom from all party feeling. He, however, would suggest, that when appointed to the head of the force, Colonel Shaw should have the appointment of all the officers employed under him, and for whose conduct he was responsible. He believed it to be of the highest importance that the police force in Ireland should be kept perfectly free from the influence of party animosity and party excitement. The appointment of police officers, therefore, was a trust which, if honestly administered, he thought had better be intrusted to the hands of the representative of the Crown than to any local authority. But he made that admission on the assumption that the trust was to be administered with perfect honesty. If it were otherwise—if the power conferred by the trust were perverted to other purposes, and were employed to gratify party animosities, or to confirm political advantages, then he should say the efficiency of the Bill would be totally destroyed. He thought that the noble Lord should adopt the same rule in Ireland as had already been adopted in the metropolis, and that those who were responsible for the good conduct of the men should have the appointment of them; and that the Government ought in no case to interfere in the nomination of officers for the purpose of gratifying any of its political friends. If Colonel Shaw were to be appointed to the head of the force, let him have the nomination of the men; and if he (Sir R. Peel) knew anything of that gallant officer, he would undertake to say, that he would exercise the power thus confided to him with honesty and discretion, and that, in a much less time than could otherwise be hoped for, a well-disciplined and efficient police force would be established in Ireland. And he felt bound to say, with great deference to the opinions of his hon. Friend, who had taken a different view of the subject, that he thought if the police force in Ireland were appointed and directed upon this principle, there would be a much stronger guarantee for its sufficiency, and freedom from all local and party prejudices, than could possibly be the case if the appointment of the men of whom it was to be composed were intrusted to the local authorities. Therefore, he was not unfriendly to the principle of the present Bill, always assuming that the powers to be intrusted to the Lord-lieutenant should be exercised with impartiality, and for no other purpose than that of improving the police force. But the principle of the Bill, good as it was, was of more extensive application than to the mere improvement of the police force. Suppose he (Sir Robert Peel) had been asked, upon the first day of the present Session, to agree to an Address to the Crown, pledging him to apply precisely the same principles to the administration of justice, or to the formation of a constabulary force in Ireland, as were known to exist in England. Supposing that he had said, "Do not ask me on the first day of the Session to give such a pledge; there may be peculiarities in the state of society in Ireland which call for the application of a different system, and which may render it right or necessary to place the whole power of the police in the hands of his Majesty's Government. As a general principle, it may be right not to transfer such a power from the hands of local authorities to those of the King's Secretary of State; but there may be such peculiarities in the state of Ireland, in the state of the population, in the state of property; above all, in the unfortunate state of religious animosities, which make it better to trust the representative of the Crown, than to allow the power to remain in the hands of the local authorities, however respectable." Suppose, having such an argument in his mind, he had said he would not give the pledge required of him—suppose, although most anxious to administer justice in Ireland on the same principles of impartiality as in England, he had said, that he doubted whether he should effect that object by pledging himself to apply precisely the same principles to a totally different state of things—suppose he had said, with the hon. and learned Member for Dublin, "Beware of local animosities and jealousies —beware of village partialities—do not trust local authorities—do not trust irresponsible bodies. Place these appointments in the hands of the Lord-lieutenant of Ireland. If he abuse them, he is more tangible than any local authority." He admitted the justice of the principle on which the Bill proceeded; but if that principle were good for the police of the country, why was it not equally good for the police of the town? And why, because it might be fitting to intrust the appointment of the Municipal Police to Corporate authorities in England, why might it not follow, or why might they not choose to subscribe at once to the inference, that therefore it should be good to place the same power in the same local and irresponsible bodies in Ireland? He found, therefore, in the speech of the noble Lord, the Secretary of State for the Home Department, and also in that of the hon. and learned Member for Dublin, a complete vindication of the justice of the course which he had pursued in the first night of the present Session, and in which he was joined by a powerful minority of the House. The Amendment he then moved to the Address was founded on this principle, that whilst he was prepared to concede to Ireland the absolute right of having impartiality in the administration of justice secured to her, yet he desired that he might not be fettered by a pledge that he would apply the same principles which had been adopted here to another part of the empire, whose society was differently constituted, and whose circumstances were by no means the same.

Mr. *Henry Grattan* must bear his testimony in favour of the Government of Lord Mulgrave, and express his conviction that that noble Lord would do his duty in spite of the hon. Gentlemen opposite. If they were now obliged to have recourse to the present measure (and he admitted it to be a strong one), it was on account of the bad measures which had been adopted by the party who had so long misgoverned Ireland. He thanked God that the present Government were disposed to act upon different principles, and as long as they continued to pursue the couse they had so well begun they might rest assured of the support of the great majority of the Irish Members.

Colonel *Perceval* would not attempt to make any reply to the speech of the hon. Gentleman who had just sat down. He really believed the hon. Gentleman had made use of the words without intending to use them, and many sentences, which in his cooler moments he would not have troubled the House with. He (Colonel Perceval) rose for the purpose of saying that the explanation of the noble Lord, the Secretary of State for the Home Department, relative to the intention of his Majesty's Government of selecting a man so unanimously admired and respected as Colonel Shaw, would undoubtedly remove many of the difficulties and objections which he and his friends were of opinion had existed against the Bill as introduced during the last Session of Parliament. He would undertake to show, that they were not inconsistent in opposing the measure of the noble Lord, up to the moment that this explanation was made. As the power which the local Magistrates possessed of making appointments was to be taken away by this Bill, and the inspectors-general, in whom all parties placed the most unequivocal confidence, to be removed, their opposition to the measure was grounded upon the apprehension, justly, he would say, formed from these circumstances, that this indication on the part of his Majesty's Government in Ireland would have been followed up by the appointment of partisans of its own, for the purpose of carrying this measure into effect. One of the reasons for his so thinking had been adverted to by the hon. and learned Member for Dublin, but as he (Colonel Perceval) was anxious to prevent any further pique upon the subject, and was also desirous of allowing the feelings of both parties to be directed to the improvement of the Bill, with a view to render it as beneficial a measure as possible to all portions of the community—he would not now more particularly allude to his reasons of objection than by merely asking the noble Lord, the Secretary for Ireland, whether it was his intention to introduce a Clause authorising his Majesty's Government to grant a retiring allowance to the Inspectors-General for Ireland, commensurate with the services they had rendered. He alluded particularly, to the Inspector-General who had been at the head of the police department for such a number of years, and who, during his time of office, had secured to him the confidence, good opinion, and respect of all parties — he meant Major Warburton. He believed it was in the power of the Government to remunerate by public employment the services of Sir Frederick Stoven, as they might also those of another military officer, Major Miller, of the artillery. He respected Sir Frederick Stoven's character as an officer, though he had no confidence in him as head of the police. Much of the objection which he (Colonel Perceval) urged against the Bill of last Session was founded upon the dread he entertained of a political partisan being placed at the head of the police. The fourth and oldest of the Gentlemen who had filled the offices of Inspectors-General, was now by age rendered unfit for any other occupation, and he was sure it would be a great gratification to all parties in Ireland, if they were now to understand that it was not the intention of his Majesty's Government to allow his long services to go unrewarded.

Mr. Sergeant *O'Loghlen* should not have addressed the House upon the subject of this Bill, but for an observation which had fallen from the hon. and learned Gentleman, the Member for the University of Dublin (Mr. Shaw). That hon. and learned Gentleman stated, that of thirty-four local solicitors recently appointed in Ireland, thirty were Roman Catholics. Now, what was the fact? When he (Mr. O'Loghlen) was appointed to the office he had then the honour to hold, he found four local solicitors, all of whom were certainly Roman Catholics; but instead of thirty-four others being added, twenty-four only were appointed, and of these, as he was credibly informed, certainly eight, and he believed nine, were Protestants; and he might add, that many of those who where Roman Catholics had received their appointment from the recommendation of Protestant Magistrates and Protestant Barristers. The question of what religion the party was of never entered into the consideration of those by whom the appointment was made. The office was not one of emolument. It consisted merely in this;—of having a person who had practised at the quarter sessions in Ireland who would undertake to prosecute such cases as might be sent to him by the Crown-solicitor in that particular circuit. And the object of the appointment was this:—to put an end, if possible, to those factions and party fights at markets and fairs which were so frequent in the south and west of Ireland. Previous to his (Mr. O'Loghlen's) coming into office, he found that these solicitors charged two guineas for every case put into their hands; but he had since reduced the fees so much as to render it extremely improbable that the gross amount of the emolument arising to any one of the solicitors would exceed 10*l.* per annum. In fact, since the last Session of Parliament he had received letters from several of the gentlemen who had been appointed local solicitors declining to serve any longer, stating that they were better paid by the rioters to defend them than by the Crown to prosecute them.

Mr. *Anthony Lefroy* said, that having entertained, in common with his hon. Friends who had spoken against this Bill, a great objection to the changes it proposed, he must admit that he concurred in principle with those who thought that appointments in the police should be made by a responsible authority; but it could not be supposed that the magistrates and gentry of Ireland would be satisfied with a measure which would transfer such power to a Government who, they had good reason for supposing, would be guided, in the disposal of their patronage, by an influence which was both dangerous and irresponsible. He was ready to admit that some of his objections were removed by the character given by the noble Lord of the gentleman who was to be placed over the police, confirmed as it was by the right hon. Baronet the Member for Tamworth; and in withdrawing his opposition he was glad to prove to the hon. Member for Meath (Mr. H. Grattan) notwithstanding his exaggerated statements, that he did not object to a measure, if a good one, from whatever side of the House it might come. And he trusted, from the great experience and high character of the officer who would have the superintendence of the police, that a confident hope might be entertained that, disregarding all party feeling, he would only desire to have that force as efficient as possible, for the protection of life and property in Ireland.

Colonel *Verner* merely rose to notice what fell from the hon. Member for Meath, with regard to an outrage which he stated to have taken place at Ballybay, in the county of Monaghan, on the 14th or 15th of last month, when, as the hon. Member observed, a body of Orangemen attacked the Roman Catholics indiscriminately, coming to the market, beat and abused them without provocation, and drove them into a lake—into which, as fast as they endeavoured to release themselves, they were again pushed. Possessing property in the immediate vicinity of that town, he did not think such an occurrence was likely to take place without its having come to his knowledge; but he could quote better authority than his own for doubting the accuracy of the hon. Member's information—his hon. Friend the Member for Monaghan, authorised him (Colonel Verner) to say, that until this moment he never heard of the transaction alluded to by the hon. Member for Meath, or that any outrage had been committed at Ballybay, such as had been stated by the hon. Member. He felt that in justice to the Magistrates of the province of Ulster, he ought not to sit down without replying to an observation made by the hon. and learned Member for the city of Dublin, charging them, by the name of Orange Magistrates, with having appointed or nominated improper persons to the constabulary force of that district. One fact which he (Colonel Verner) should state to the House would be a sufficient refutation of this assertion. The province of Ulster was in point of extent and in point of population greater than any other in Ireland, notwithstanding that its constabulary force was less by upwards of 200 men than that of the smallest province in that country. In another province that force was more than double that of Ulster. But what was most remarkable the number of men belonging to the police in one southern county exceeded those of the nine northern counties united. This spoke volumes, not only as to the good conduct and character of the men, but as to the peaceful state of the province. Now, he should only mention one circumstance more upon the part of this body. When it became necessary, in consequence of renewed disturbances in a southern county, that an augmentation should be made to the force in that part, from whom was the draft taken? from Armagh. And what were the instructions issued to the chief constable of police? To send good men. He left to hon. Members acquainted with the character of the police of Ulster to put their own construction upon that order.

Mr. *Finn* complained that the system of favouritism to Orangemen in Ireland had gone so far under the old police system as to allow persons who had committed arson and murder to escape.

Mr. *Shaw*, in explanation, begged to say, in reference to the number of Roman Catholics amongst the newly-appointed Crown Solicitors, that he had abstained from making a remark on the subject so long as the fact rested on mere report or newspaper authority; but he had spoken on the authority of a letter he then held in his hand, from a Gentleman, a friend of his own, of the highest character and station, who had assured him of the correctness of the statement, and since he had before spoken on the subject that evening, he had written to that Gentleman to request he would furnish him with the particulars of the case.

Mr. *Barron* said, that for many years it had been the policy of the Irish Government not to appoint Roman Catholics to any official situation, so that no apology would be due from the present Government, even if every one of the appointments which had been referred [to were of Roman Catholics. But the accusation which had been brought forward against the Government this night appeared to be totally false and unfounded. He rejoiced that the right hon. Baronet opposite had given his support to the principle of this Bill. The testimony borne by the right hon. Gentleman in its favour would go a great way with all men, both in and out of this House, and he hoped it would also go a great way with noble personages in another place, and be the means of the Bill becoming the law of the land. He sincerely trusted that the Government would go on day after day, and session after session, to assimilate the law in the two countries until Ireland, now torn to pieces by contending parties, should become peaceable, prosperous, and happy. He only regretted that the right hon. Baronet, who had been so many years in power, had not seen the necessity of making this great reform until now, when it emanated from other parties. He was sure, however, that the right hon. Baronet's enlightened mind must long since have felt the necessity of such a change; but he was unfortunately trammelled and held in bondage when in that country by the party now sitting beside and around him. He was now out of power, and they had his admission that such a change was absolutely required, and he (Mr. Barron) congratulated the House and the country upon the likelihood of the constabulary law in Ireland at length becoming what it ought always to have been.

Mr. *William Roche* supported the Bill, and said that the recent appointments in Limerick had given general satisfaction.

Sir *Robert Peel* wished to say one word in reference to what had fallen from the hon. Member for Waterford, although a more convenient opportunity would be afforded him to enter upon the question fully on the second reading of the Bill. Supposing he (Sir Robert Peel) was taking a different course from what he did in 1814, still if a change of circumstances and subsequent experience led him to think that a different course was desirable, he should, without the least apprehension of any charge of inconsistency, adopt that altered course. The question was not, whether a public man changed his views, but whether there was any interested motive for such a change. If there was, then the change might be censured; but if there was not, then he must say he could not feel the force of that satire which the hon. Gentleman had directed against him, for having (suppose he had), after a lapse of years, more extended experience, and subsequent consideration, changed his opinion as to the policy best to be adopted. That was what he should feel supposing the charge of inconsistency applied to him. But he thought, while the hon. Gentleman was speaking, that he was not subject to that charge. To the best of his recollection, the principle of the Act which he (Sir Robert Peel) introduced on this subject in 1814, expressly gave to the Lord-lieutenant of Ireland the power of these appointments. He was not responsible for the subsequent Acts that were passed; but the principle of the Act which he introduced was precisely the same as that which had been adopted by the noble Lord. He confessed his confidence in the Bill would have been greatly shaken, unless it preserved to the Lord-lieutenant the power of appointing persons to the constabulary force, and also the power of removal. Those powers had been given by the Bill he himself introduced; and he saw by the report that some of the constables went under the designation of "Peelers," which confirmed him in the recollection of the nature of his Bill, showing that they must have owed their appointments to him, and not to the magistrates.

Leave was given to bring in the Bill.

Record Commission.] Mr. *Charles Buller** rose for the purpose of moving that a Select Committee be appointed to inquire into the conduct of the Commissioners of Public Records, and into the present state of the Public Records. The hon. Member said, that when he had laid before the House a few of the circumstances connected with the history of the Commission which formed the subject of the present motion, and when he called their attention to the state of the Records of this kingdom, and to the great amount of public money which had been expended by the Commissioners, he felt not the least doubt that the House would agree with him as to the necessity of an immediate and careful investigation of the whole matter; and it therefore might be presumed that the appointment of the Committee for which he sought would, without difficulty, be acceded to.

The Public Records, he presumed it was quite unnecessary for him to remind the House, were, whether they respected private property, or the means of authentic history, of extreme value. Of the first class were all grants, leases, and conveyances by the Crown to individuals or corporate bodies; of the second were ancient records, treaties, and public or national compacts. However carefully these might be treasured up, they were, of course, of perishable materials; and it had been determined by the Legislature that the subject of their preservation, custody, and perpetuation should be referred to Commissioners. The Commission had sat now many years, and was established in consequence of an address from the House of Commons in the year 1800. The annual grants to the Commissioners had varied from 5,000*l.* to 20,000*l.* Small as the annual amount was, yet the House would certainly think it a matter worthy of being inquired into, when they found that since the formation of the Commission about 400,000*l.* had been voted by Parliament towards its expenditure. But that had not been the sole expense the country had been put to on account of the Public Records during that period. The keepers of the principal offices were paid by Government; and it was supposed that, including the expenses of the Irish Commmissioners, the whole amount bestowed on the Public Records was not less than 600,000*l.* or 700,000*l.* Besides this enormous expenditure, it now appeared that this Commission was actually in debt to the amount of 20,000*l.* It was obvious to a common observer that a considerable portion of this expense had been unnecessarily, if not blamably, incurred by the Commissioners, who seemed, in most instances, to have lost sight of the objects which had occasioned their appointment. Of one thing they had, however, been very laudably tenacious; and that was, to take all possible pains to render themselves generally known to all the countries, and in almost all the languages, of Europe. A portion of the public money intrusted to the Commissioners had been devoted to publishing in the various languages of Europe an account of the nature of the Commission, and a full detail of the names and titles of the Commissioners. He held in his hand a Portuguese pamphlet on the subject, in which the names of the Commissioners were given, no doubt in the purest Portuguese. The right hon. Member for Montgomery (Mr. Williams Wynn) was designated "O muito nobre Carlos Watkins Williams Wynn." The hon. baronet, the Member for Oxford, had a most romantic title, "Sir Roberto Harry Inglis." That was one of the ways in which the public money was spent—making the style and title of the Commissioners known all over Europe, from Lisbon to Hamburgh. Even the Secretary to the Commission is immortalized in the printed proceedings of the Board, as "Viro illustri, excellentissimo, clarissimo, doctissimo C. P. Coopero equiti Anglo."

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* Reprinted from a corrected Report.

The principal objects of the Commission were the care of the Records, their preservation, and perpetuation by means of transcription of such as had become nearly defaced by time or accident. How these objects were provided for he should briefly state to the House. He need scarcely inform the House that the Public Records were of great importance to suitors in the courts of Law and Equity, and were also of great public importance, as forming the genuine materials of the history of England. In this point of view, he should not of course be otherwise than the advocate of liberal expenditure, provided it were directed, and efficiently directed, to the proper objects. The first great object was, that those Records should be kept in a convenient place, in security, and good arrangement; the next that there should be proper calendars and indexes; the third, that all Records which were in any danger of perishing, should be transcribed; and in cases where printing happened to be not too expensive, that such Records should be printed. He had every reason to believe that, if the Committee were granted him, he would make it appear that the Commissioners had neglected the principal of those duties. It appeared by the last Parliamentary returns of the Commissioners' expenditure, that only 1,500*l.* had been spent on what he would call the most important object for which they were appointed, namely, on the arrangement of the Records. What was the present state of those important documents? Considering that the object of the Commission was the preservation of the Records, and the affording easy accessibility to them, the method in which the Records were kept was perfectly scandalous. They were scattered about in eight or ten different offices, in different parts of the town. Those at Somerset-house were in underground vaults, where the light of the sun never penetrated. Fires were lighted in these vaults for the purpose of dispelling the damp: and the result was, that the Records were alternately damp and dry, the destructive effects of which changes he need hardly point out: he feared they might have operated extensively already. A very picturesque description had been given in a report of some stalactite found in one of these vaults by the hon. Baronet (Sir R. Inglis); stalactites were interesting objects to the geologist, but a Record-office was an inappropriate place for their growth. Mr. Illingworth, who was very familiar with these Records and their situation, stated in a letter that he was afraid to touch them, on account of their dampness, lest he should catch the rheumatism in his hand. In these same vaults the Records were placed so high on shelves, some sticking out like bottles, that a ladder must be obtained to reach them; and then there was the chance of falling from the top with the roll upon the adventurous individual who made the experiment: no very pleasant predicament. Surely, nothing could be more evident than that the public Records of a nation ought not to be left in such circumstances, but should be placed in commodious and suitable apartments in accessible situations, and under a perfect system of arrangement. As to the miscellaneous Records lately at the Mews, and now at Carlton-ride, the method of keeping them was most ridiculous. They did not talk there of books, and manuscripts, and rolls, like other people; but they described the Records by sacks and bushels. They would tell you that they had six hundred and fifty sacks of Records, containing eight bushels each. The Commission had begun some little good here; which, being good, was mysteriously suspended. The papers were sorted by years in sacks; so that if you wanted a document for such a year, you went to such a sack. The Records to which he was now alluding, had previously been kept, as the House might remember, in the temporary sheds which till lately stood in Westminster-hall.

One of the fittest objects of the Commission would have been to provide a proper repository for the reception of the Records. He had seen a very fair estimate for a building, but no repository had been built. The money spent in temporary buildings and removals would have gone a great way towards realising this object. The sum actually expended in fitting up the vaults of Somerset-house was 16,000*l.*; and the various migrations of the Records from the old buildings in Westminster-hall to the King's-mews and Carlton-terrace, had cost 12,000*l.*; so that these two sums, making 28,000*l.*, would have formed a fund sufficient to build a very good Record-office.

Another object, of course, of great importance was, that these Records should be safe. Ever since 1732, it had been reported to the House of Commons that there were a brewhouse and washhouse at the back of the Chapter-house, where the Records were kept, and by which the safety of the Chapter-house was greatly endangered by fire. In 1800 this brewhouse and this washhouse were again reported as dangerous. In 1819 this brewhouse and washhouse again attracted the serious notice of the Commissioners. In 1831 it was thought expedient to send a deputation to the Dean and Chapter of Westminster, and to request his Majesty's Surveyor-general to report upon the perils of this brewhouse and washhouse, and endeavour to get the Dean and Chapter to pull them down. But the Dean and Chapter asserted the vested rights of the Church, and no redress was obtained against the brewhouse and washhouse. In 1833 another expedition, headed by the right hon. Baronet opposite, was made to the Chapter-house, but the right hon. Baronet, desiring not to come into collision with the Church, omitted all mention of the brewhouse and washhouse. And thus the attention of the Commissioners had been constantly directed to this eternal brewhouse and eternal washhouse without any avail. There they still remain as a monument of the inefficiency of the Commissioners, and of the great power and pertinacity of the Church of this country. It seemed, however, to him (Mr. C. Buller) that the hon. Baronet had not consistently exhibited that attachment to the Church which the world gave him credit for, as in 1833 it was reported that the Records in the Augmentation-office (in which the great bulk of the Records relating to the Church were deposited) were in great danger from fire. The praiseworthy efforts of Mr. Protheroe to reform the condition of the Augmentation-office, and especially his representations of the dangers likely to arise from fire, were practically disregarded, though the burning of the Houses of Parliament, which occurred since, bore ample testimony to the value of his suggestions. The result of not attending to his advice was, that the Records at that period were all thrown out of the windows, to be preserved from the ravages of fire by the mire of Palace-yard, and soaked by water from the firemains. He had heard that the Records made admirable rat-traps. It was astonishing the quantity of remains of rats which were found amongst the Records. On one occasion the skeleton of a cat had been found amongst them. Evidence too appeared, that the Public Records had served a better purpose than rat-traps. The Public Records had been boiled down for glue, and the cleaner and better sort had been converted into jellies by the confectioners. He had heard, too, that the embezzlement of Records had been carried to a serious extent, and that at the sale of a deceased virtuoso a lot of this kind fetched above 600*l.* They were also to be found, as matters of course, in curiosity-shops through the town. The disorderly course of keeping the Records in large masses scattered on tables, amongst which it was necessary to hunt for any specific document, might perhaps be accounted for by the knowledge of the fact that the searchers were paid by the time spent in these hunting matches. An attempt was made to arrange the Records in the Augmentation-office by the late Secretary, who bound those of similar sizes together without regard to subject or date—leases, grants, and rentals, altogether—of which an index of contents, compiled at the public expense, was kept by the Secretary at Spafields, where it could be consulted on payment of a fee; but, owing to the imperfection of this arrangement, three days had been frequently spent, with the help of this index, hunting for a single class of documents. This was not at all surprising, for he found one volume labelled "Rentals" which contained seventeen sorts of Records, yet not a single one of that class.

The Commissioners were especially expected to report on the subject of fees, a matter of great import, which still lay quite neglected, though Sir Harris Nicolas had, in his valuable work, exposed the enormity of the prevailing practice. It appeared that any one wishing to look at a single record must pay 16*s.* 8*d.*; if a transcript were taken, additional fees were required; if a full copy, higher still. A general search cost five guineas; and in the Rolls' Chapel even eight guineas is not an unusual charge. There they would not allow a copy of part of a document to be made or examined by an applicant. A person wanted a few lines of a particular instrument transcribed, and applied to be permitted to copy them himself. He was told he must, to obtain them, order an office-copy of the entire record, the expense of which would be 140 guineas; and this abuse was yet unreformed. Again, if a document was required in a Court of Law, a guinea per day was charged for bringing it from the Tower; if ten records were required at once, ten guineas were charged; and so on. The effect of this might be estimated from the fact that in a single case instituted to try the right to the Barony of Stafford, the charge was eighty guineas. In this case the sum of eighty guineas was paid for taking certain rolls from the Tower to the House of Lords, and, as the House did not sit that day, they went back again, to be produced on other occasions, with other payments of fees.

As he had already said, the great object which the Commissioners ought to hold in view should be to make those Records accessible for purposes connected with the history of the country; to have them well and carefully arranged, with good indexes, so as that all learned men might enjoy easy access to them; to have them so deposited as that there should be no injury from damp, and no danger from fire. But the preservation of the Records seemed to be entirely neglected in the eagerness of the Commissioners to print certain costly works, and in reprinting of essays. Amongst the works of the present Commissioners was a supplement to the "*Valor Ecclesiasticus*," a work given to the public as completing the previously published volumes. In less than a month after this publication appeared, fresh supplementary matter was found in sufficient quantity to make another volume. He held in his hand a volume, entitled "*Rotuli Selecti*," as a specimen of the accuracy of the present Commission's editorship. The work contained a patent roll twice printed by the present Commission, and other rolls of Henry 3rd., transcripts of which were twice made at the public expense. In this work there were more mistakes than might be expected to occur in proof-sheets sent to an author for correction. Those blunders were not only numerous, but somehow always occurred in the most important words. Thus in one place it ought to have stated that a certain payment was made to the king, but the word "king" was left out, and it therefore became impossible to say to whom the payment was made; then, certain ladies were mentioned who were heiresses of some person, but the word "heiresses" was omitted. In one publication by the old Commission, the transcript called "*Testa de Neville*", there were 120 variations from the original roll in twenty-two lines. And what made this negligence the more alarming was, the announcement in a printed work of the present Commissioners, that it was intended to apply for an Act to make this correct and authentic copy a sufficient proof in Courts of Law. The Commission was enjoined to print the "more valuable and ancient of the Records," and yet they had expended 634*l.* on reprinting Sir Henry Ellis's Introduction to Doomsday;—300*l.* having been paid for the editorship of the two octavo volumes to that gentleman. Then there was an "*Account of the Public Records*," printed at the public cost, and appearing as a private work, without the title and dignity of the Commission attached thereto. Another work printed, and not an "ancient record," was a "*Proposal for building a Record-office, and Judges' chambers.*" Another work, not an "ancient Record," was an Essay reprinted from the Quarterly Review. Another work was a Report on the Chancery Proceedings. Such was the curiosity and value of this work, that it was presented as a beautiful specimen of typography, printed in red and black letter, and the name and style of every Commissioner was printed in his own copy. These items reminded him (Mr. Buller) of the celebrity which the Irish Commission had obtained in printing.

In the Irish Record Commission some surprise was expressed at seeing a charge for the collection of ancient and valuable works in England by Mr. Rowley Lascelles. It appeared, on applying to that gentleman for an explanation, he had (on a quarrel amongst the Irish Commissioners) been deputed to select materials at this side of the water, and certainly he had brought together some "ancient and valuable records," amongst which appeared a pamphlet of Mr. Croker's on the state of Ireland, and Mr. Thomas Moore's "*Captain Rock.*"

Another complaint against the Commission arose from their proceedings on the Continent. He thought the Commissioners had rather gone out of their way in sending to Belgium to procure the copy of a document which was itself a copy of an original Record existing in the Tower of London, and could not understand how they could find occupation for similar embassies in Germany, Portugal, Russia, Italy, &c., except to furnish a justification for expending 5,000*l.* in making themselves known. He also saw an item of 1,500*l.* for books, and was rather surprised that the Commissioners should think it necessary to gratify continental curiosity at such an expensive rate as was indicated by a present sent to one learned individual, Dugdale's "*Monasticon,*' a work which originally cost above 100 guineas. He thought the system very unwise and dangerous which placed 10,000*l.* a-year at the entire disposal of a secretary to pay away at his discretion, without any order from the Commissioners; which was the system until lately. Things had gone on in this way for thirty-six years, notwithstanding the representations of Mr. Protheroe—a Commissioner to whose exertions for reform the public was much indebted; and it was only when a Parliamentary inquiry was talked of that any reform was perceptible.

He decidedly objected to the constitution of the Commission. It was said, in its defence, that it was composed of men of high honour and respectability; but it was well known that individuals of such character were not so remarkable for conducting business well as for leaving it to be done by others.

In conclusion, this Commission had expended a large portion of the public money, and was now deeply in debt. It could not show that it had done anything towards having the Records of the country well lodged, well housed, or more accessible to the public; it could not show that it had done anything towards reducing the fees; it could not show that it had done anything towards rendering the Records available by means of good calendars or indices; but it could show that their money had been expended in very useless and imperfect works. It was for these reasons that he asked the House for, and it was on these reasons that he thought they would grant, the Select Committee.

Mr. *Williams Wynn* said, the publications alluded to by the hon. Member had, under the sanction of Parliament, been distributed to the Members of both Houses, who had been themselves to blame if they suffered the Commissioners to pursue an erroneous system so long, yearly reports of their expenditure and progress having been regularly laid before them. He was himself a member of the Commission, and he knew that the Commissioners had frequently laid before Parliament their opinion of the necessity of building a new Record Office. They had not authority to build any office, or to remove the Records any where. He was prepared to take his share of the responsibility of having a plan made for removing those shelves, and enlarging the building. The hon. Member who brought forward this Motion was wholly misinformed as to the Portuguese work of which he had spoken. He could only say, as one of the Commissioners, that he never saw or heard of such a work; and, as to the book published by Mr. Cooper, that publication took place solely at Mr. Cooper's own expense, and not at the expense of the Commission. The hon. Member should, therefore, have informed himself better on this point before he made his statement. The Commission, he believed, was first suggested many years ago by Lord Bexley, but not carried into effect fully until a much more recent period, under the present Commissioners. Without at all including himself, he believed there were men upon the Commission whose names were a sufficing guarantee for adopting the best means to accomplish the object for which they had been appointed. Sir James Mackintosh, Mr. Hallam, and Mr. Allen were on the Commission, and the late Earl Spencer and Mr. Dundas, the Lord Register of Scotland, were constant attendants at the meetings of the Commissioners. These were Gentlemen who devoted all their attention to the subject, and who could not fail to bring about a very satisfactory result. With respect to the fees charged, the Commissioners had nothing to do with them; but he must say, that he had never heard of any abuse on the part of those who were entitled to those fees.

Mr. *Jervis* was glad that his hon. Friend near him had brought this subject before the House, because it was clear that there was something going on of which the Commissioners knew nothing. The right hon. Gentleman opposite (Mr. Wynn), although he was one of the Commissioners, had that night stated that Mr. Cooper's book was not published at the expense of the Commission, whereas it appeared distinctly, by a return made to that House on the 13th of August, 1833, that the book was published at the sole expense, and under the authority, of the Board of Commissioners. The heavy fees demanded for inspecting those Records were a grievous injustice and oppression on the public. He could name one striking instance of this which came under his own observation at the last assizes at Chester. On a trial, which involved a disputed claim to property, it was necessary to inspect six sides only of a grant of Queen Elizabeth, and in order to do this, the parties were compelled to take a copy of fifty-six sides of folio parchment, containing totally irrelevant matter.

Sir *Robert Inglis* said, that it was rather strange that the hon. Member for Liskeard should take so much pains to find fault with a Commission appointed by the present Government, which he so strenuously supported. He himself (Sir R. Inglis) was, he believed, the only Tory on the Commission. The present Speaker was at the head of it, and the Commission, he believed, originated with Lord Brougham. The accounts, too, which had been complained of, were audited by three Gentlemen perfectly competent to such a duty, namely, the Chancellor of the Exchequer, Mr. W. Brougham, and Mr. Protheroe. From time to time there had served on the Commission men of all others the best qualified for such an object. The Earl of Aberdeen had been once on the Commission, and so had Earl Spencer, Sir James Mackintosh, Mr. Hallam, and Mr. Allen. These were men likely to know what would best promote the interest of the profession and the public. As to removing the Records, it had been decided by the authority of one of the Judges who attended on the Commission at the Speaker's house, that it was not competent to the Commissioners to remove them without an Act of Parliament.

Mr. *Hume* suggested that, as all the old rotten stores were now selling off at the Tower, which would leave plenty of room there, the Records ought to be removed there as the best and safest place for their preservation.

Lord *John Russell* thought the House were indebted to the hon. Gentleman for bringing the subject under their notice.

Mr. *Baines* would not say that the expenses had not been considerable, but the country was deeply indebted to the facilities which the labours of the Commissioners had given to all persons who were desirous to obtain information, which it would otherwise have been very difficult to procure, on the history, the laws, and the government of the country.

Motion agreed to, and the Committee appointed.

Divisions of the House.] Mr. *Ward* stated that he rose to propose a number of resolutions respecting divisions in the House, which were founded on the report of the Select Committee which sat on the subject last year. The object was, the giving publicity to the names of the Members who voted in each division. He thought, as well for the sake of themselves as for their constituents, that hon. Members should be prepared to give an account of their stewardship, and to let the public know how they voted on each occasion. Undoubtedly, the most important part of the business of a Member of that House was voting in conformity with the wishes of those who had sent him to represent them. Every hon. Gentleman who heard him was aware that he was subject to the tribunal of public opinion, and each should be prepared to bow to it. What had recently been allowed to be done with reference to the debates, ought equally to be permitted in the case of divisions. Lists were now published of the persons who voted, but these were constantly found to contain inaccuracies, and all that was wished was, to combine with the accuracy of the debates the accuracy of the account of the divisions. One could not be perfect without the other. It was not sufficient for a constituency to know how their representative spoke, but they should also be aware how he voted. The report of the Committee was presented last year, and it suggested a plan of taking divisions by means of double nominees and clerks, and that a second lobby should be built. At the suggestion, however, of the Chancellor of the Exchequer, the matter was postponed until this year, as the lobby could not be then conveniently built. The second lobby, however, was now erected, and it was only for the House to carry out their own resolutions, and adopt the mode of division recommended by the Committee, and sanctioned by the House last year. The first resolution that he had to propose was, that on any division the House should be entirely cleared, and that the ayes and noes should be sent into different lobbies. The second resolution was, that four tellers should be nominated in each division, and that they should be attended by four clerks; that two of each should take their places at the door of each lobby, and that the doors should be simultaneously opened, and that the numbers should be counted, and that the names of the Members should be taken down by the clerks. The lists should then be taken up to the Table, and that the Speaker should direct an alphabetical list of the Members voting to be prepared, which should be inserted in the votes. Such were the resolutions of last year; but he would suggest a slight alteration in one of them, namely, that in each division the name of the Members who voted should be marked in a printed list of Members which had been prepared in an alphabetical form. He had done this in consequence of having seen a table which had been drawn at the suggestion of the Speaker. This mode of proceeding might afford greater facility of taking the lists than writing the names down; but he should propose that either of these modes might be adopted. He thought that the plan was sufficiently plain and feasible for the adoption of the House, and he trusted that all sides would agree to give it a fair trial. Everybody was aware of the inaccuracies that were to be met with in the list of every division that was now given in the newspapers; and by the plan he proposed, he was satisfied that an accurate list of names would be furnished. In the list of the majority of last night, in the first division, there were not less than fifty-seven omissions, and the hon. Member for Exeter was described as voting on both sides. In the division on the Address, the names of three Members were omitted, who, at great personal inconvenience, had hastened from the north of Scotland to be present on the occasion. Another case had recently occurred, of a very remarkable nature, to an hon. and gallant Friend of his. He had been accused on the hustings of voting against the Impressment Bill. He was satisfied in his own mind that he had not done so, and contradicted it, but not less than eleven lists of the division were produced to prove that he did. His veracity was impeached, and discredit was thrown on him; but it appeared on inquiry that all the lists had been copied from one in which there was an inaccuracy. This was a point affecting every man in the House who wished to stand well with his constituents. The hon. and learned Gentleman proposed the resolutions.

Lord *John Russell* thought that the best argument which had been used for the adoption of the plan was the erection of the additional lobby. He was not aware that the lobby was to have been built, and was not aware of its erection until he found it where it was. He trusted that the House would consent to try the experiment of the hon. Gentleman, at the same time he would not say that some inconvenience might not arise from it. He could not help feeling that there would be a material difference in point of time in taking the divisions. The division last night was 190 to thirty-six, and certainly in this case no great time would be consumed, but when a very large number of Members were present a material difference would be perceived. His hon. Friend urged that by adopting this course correct lists of the names of Members who voted in the divisions would be furnished. Certainly, as the habit prevailed of publishing lists of divisions, it was desirable that they should be accurate. His hon. Friend said inaccurate lists were constantly published in the newspapers, and that Members had to write to correct those lists. It was one thing, however, to correct the lists in the newspapers, and another having to get up and complain to the House of errors in the votes; in the latter case of course it would be necessary to search out where the error arose. As it appeared that the lobby was ready he could see no objection to make a trial of the resolution.

First Resolution agreed to.

On the second Resolution,

Sir *Robert Peel* saw no objection to try the experiment, and if it was found that much time was consumed in divisions, he had no doubt that the House would feel disposed to return to the old system. If the new plan did not occupy much time, the House would act upon it. It would be necessary by this plan, however, to have four clerks in constant attendance, and they might pass eight or ten days without having one division, therefore the expense of it would not be inconsiderable.

Mr. *Grote* was glad that the right hon. Baronet was disposed to give the plan a fair trial, as he had no doubt of its success. He did not suppose that it could be carried into effect without some additional time, but certainly it would not be of any considerable duration. He objected to intrusting discretionary power to any man, but he thought in this case no great evil could result from leaving it to the Speaker.

Sir *Robert Inglis* stated that the plan had been tried, as appeared from the Journals, in 1834, when it was found that names had been inserted by mistake.

Mr. *Warburton* said, that the plan alluded to by the hon. Baronet, the Member for the University of Oxford, was essentially different from that now proposed. If a clerk should not be present at the time of a division, it would be easy for a Member to take his place.

Colonel *Thompson* suggested that much time might be saved in divisions if the lobbies were on the sides of the House, and there were several doors into them from the House. When all the Members had got into the lobbies, all the doors with the exception of one should be shut, through which the Members could return into the House.

Sir *John Hobhouse* remarked that at present a Member might always excuse himself to his constituents for his voting, and impute it to the mistakes of newspapers. If errors should occur in the proposed system, it would be easy to correct them in the votes on the following day. He did not think that so much evil arose from a single error in a list of a division as hon. Gentlemen supposed, as constituents would generally form an estimate of their representative from the general tenor of a Member's votes.

Mr. *Hume* expressed his surprise at the tone of the hon. Baronet's observations. As to the proposed plan there could be no doubt of its superiority to the present system.

The Motion was agreed to.

EXCHEQUER TITHE PROCESSES (IRELAND).] Mr. *Sheil* rose for the purpose of moving, according to notice, for a "Return of all Processes which have issued out of his Majesty's Court of Exchequer in Ireland, in the cause of Knox *v.* Gavin and others, and of all orders made in the said cause, and all affidavits made therein; also, copies of any order or orders made by his Majesty's Government in the years 1823, 1825, and 1833, respecting the employment of the police in the service and execution of suits, and of the signatures attached to such orders. Hon. Members no doubt had heard something of the cause in question. It was one among others got up by the "Lay Association for defending the property of the Established Church in Ireland." In the first place, let him not be understood as confounding this Association with the society formed in this country for the honourable purpose of relieving the clergy of the Established Church in Ireland from the distresses and difficulties under which they laboured. The latter society was instituted for a legitimate, praiseworthy object; its principles were those of truly Christian benevolence; whereas the Association formed in Ireland was nothing but a branch of Orangeism, partaking of all the mischief and malevolence of its prototype. ["No."] Hon. Members cried no, but he should be able to prove what he had said; and moreover, that the gallant officer opposite, the Grand Treasurer of the Orange Society, was amongst the leading subscribers to the new institution. He would read from *The Standard* newspaper the advertisement put forth by the Association, stating who were their trustees, and so forth. At the head of these appeared the name of the Earl of Roden—the coincidence could scarcely be fortuitous—then came the Earl of Enniskillen, then the Earl of Bandon, Lord Farnham, Lord Lorton, &c. &c. He did not see the hon. and gallant Member's name, but there was the name of the gallant officer sitting on his sinister hand (Colonel Verner), as a subscriber of 25*l.* The Association set forth as its object the lending its assistance to the Irish clergy in the recovery of dues, which he was ready to admit were legal. But this did not prevent the association from being as illicit and reprehensible as ever; at the best, an organ of this kind, was, after all, but a bad substitute for that Legislative measure which every one must own to be indispensable for the adjustment of the tithe question. This was a point conceded by the late Government as well as the present, both agreed that tithes could not be levied and ought not to be levied by force of arms. He would just state the circumstances of the case to which he had referred, and he would then put the question whether the House was to try the character and objects of the society by the course of proceeding which it had already adopted. The reality of these proceedings he was prepared to prove; to prove, not by idle allegations, which some Members opposite might think themselves in a position to contradict, but by the evidence of a court of justice, which could not be contradicted by any man. The first statement he would make was this; since the 1st of August last, there had been filed by this Lay Association not fewer than 617 bills on the equity side of the Exchequer. Hon. Members opposite, perhaps, would say, why not?

His answer was this: there were two modes of proceeding open to parties in these cases—one cheap, speedy, and efficient; the other, an expensive and most oppressive process. The 617 bills were filed under the latter process, and it was against the adoption of this proceeding, and their mode of carrying it into effect, that he raised his voice. All tithes under 10*l.* were recoverable by civil process before a Magistrate; but what had this Lay Association done? Filed upwards of 600 Exchequer bills for sums in most cases under 10*l.*, and in some for sums of 1*s.* 9*d.* If this were controverted, let them grant him the returns, which would at once establish the glaring and formidable fact. He would state two of the cases in question, which were to be proved by evidence not to be contradicted. These two cases were striking examples of how this frightful litigation had been carried on. The first case to which he would refer was the case of the very rev. Gilbert Holmes *v.* Hodges. These facts came out in this case—(that the bill was filed by the Lay Association was not disputed) the bill was filed in the name of the rev. Gilbert Holmes, and conducted by Mr. Smith, a lawyer of great talents, solicitor to the Association, who also filed the whole of the other bills set on foot by the society. This gentleman it was not his (Mr. Sheil's) intention or wish to make any charge against, it was the individuals who had recourse to his professional skill that merited condemnation. Now, as to the facts of the case: on the 4th of January last, Mr. Smith wrote to the defendant, demanding the payment of 22*l.* due by him for tithe; this was put into the post-office on the 5th, and received by the defendant on the 6th; on the 7th the latter called upon the attorney to pay the amount demanded; but what then did Mr. Smith propose? Not only that the defendant should pay the tithe, but in addition the sum of 19*l.* 9*s.* 8*d.*, being the amount of costs said to have been incurred up to that time, although the demand upon defendant was only made on the 6th of January, the day previous. Were hon. Members opposite prepared to deny this fact? Was it true? and if true, was it defensible? If the Lay Association had really taken this course, was the system a good one? Having disposed of this first specimen of the society's proceedings, he now came to another case of far greater importance—he meant that of Knox *v.* Gavin. In going into the details of this case he should have occasion to cite the words of an Act of Parliament, and to allude to other technical phraseology, but he trusted the House would give its attention to these details; it was worth their while to see the whole machinery of the law applied with the most perverse ingenuity to the unhallowed purpose of crushing the unhappy peasantry of Ireland in the dust. The facts of the case, indeed, required no comment: it would be an injustice to intelligent and feeling persons to imagine that facts such as these he brought forward required any comment or illustration from him. He would in the first place recal to the recollection of the House the Act generally called Goulburn's Act, passed 3rd George 4th, one of the chapters of which made it lawful for the Lord-Lieutenant to appoint four inspectors of police in Ireland, and to those inspectors it gave a power to frame rules for the conduct of the police constables, which rules, if approved of by the county Magistrates and by the Lord-lieutenant, were to be transmitted by the Government to the chief constables, and referred to on all occasions as the manual of the policeman's duty. In pursuance of this Act certain orders or regulations were made by the inspectors appointed and approved of by the Magistrates, by the Castle, and by the Government, among the members of which Government were Mr. (then Secretary) Goulburn and Mr. Joy, then Law Adviser of the Crown, now Chief Baron of his Majesty's Court of Exchequer in Ireland. And what were these orders? This was in 1823. One of these regulations, the 6th, directed that "the men shall on no account interfere in the execution of any writ, decree, or court order, or in driving for rent, tithes, or taxes, unless called on by a Magistrate, or the high-sheriff, or sub-sheriff, in person." This was one of the regulations approved of by the right hon. Henry Joy, who now, as Chief Baron of the Irish Exchequer, sanctioned a proceeding directly contravening that order. The same order was re-enacted in 1825, and continued in force. Now let the House see what course was adopted in the case of Knox *v.* Gavin. The same attorney, Mr. Smith, filed bills in the Court of Exchequer against twenty-two persons, amongst the rest Gavin, the tithes owing by whom amounted to the small sum of 1*l.* 11*s.* The proceedings in this case showed the *animus* of the entire system. The bills having been filed, what course was resorted to? In the month of December last Mr. Smith wrote a letter to the noble Secretary for Ireland, stating that he was employed in a great variety of tithe-suits, and requesting from his Lordship general directions to the police in reference to his proceeding in these suits. Not receiving an immediate answer from the noble Lord, in a few days Mr. Smith wrote again to him, complaining of an alleged want on his Lordship's part of the courtesy due from one gentleman to another—an imputation which any person acquainted with the noble Secretary well knew could never justly be charged against him. The noble Lord upon this returned an answer, assuring Mr. Smith that no offence had been intended towards him, and stating that the police might be employed in tithe cases where an actual riot was in existence, or about to take place, provided that a Magistrate were present. This did not at all do for the Lay Association; and he must beg the attention of the House to a detail of the extraordinary expedient adopted by the Lay Association for the purpose of setting aside the orders of the inspectors, made in pursuance of an Act of Parliament, and sanctioned by Government, with a view of enforcing the levy of tithes, by the entire police and military force in Ireland. Many Gentlemen in the House were possibly unacquainted with the curious phrase "Commission of rebellion." In England no such thing existed in the Courts either of Exchequer or Chancery: it had long since been abolished. In the Irish Court of Exchequer, too, the term had been, as a matter of substantive practice, obsolete for two hundred years past. At the worst it was used merely as a matter of form, being directed to John Doe and Richard Roe as commissioners of rebellion. The Lay Association, however, were not satisfied with taking the commission of rebellion as a mere matter of form, their object was to give it a fearful reality, and they accordingly had a commission of rebellion issued, addressed to a person of the lower class, named Dudley, and calling upon all officers to assist in arresting the rebels. This Dudley, who, though a young man, swore he had been twenty years in office, had no sooner got the commission of rebellion, than he made an attempt to ensnare the police. He applied to Malone, a chief officer of police, and demanded his assistance in putting the commission into effect. Malone at once referred to the order sanctioned by Messrs. Goulburn and Joy, which prohibited the police from interfering in any of these cases, except by the order, and in the presence, of a Magistrate. Upon Dudley's insisting on his compliance, Malone begged to be allowed to consult his superior officer, Major Miller, inspector of police. That officer at once, in obedience to the order, decided that Dudley was not entitled to the assistance of the police. Upon this refusal application was made to the Court of Exchequer for an attachment to issue against the parties for not obeying the Commissioners, and a conditional order was issued. Against this order the Attorney and Solicitor-General appeared in Court to show cause, on the ground that Miller and his sub-ordinate officer had only done their duty. He was not going to enter into the legal merits or demerits of the case in that House, nor was it his intention to throw imputations upon the motives of any one; he only stated facts. It was for the House to draw their inferences from those facts. The Judges present in Court (Baron Pennefather being absent from illness) were, the Lord Chief Baron (the very man who, as law-officer for the Crown, had in 1823 warmly supported the order on which the police officers proceeded), Mr. Baron Foster, and Mr. Baron Smith, who, though he had been absent from illness since the 2nd of November preceding, became fortunately convalescent on the 26th of January, the day on which the cause was tried. He did not cast any imputation upon the learned Judge. The learned Baron had strong political opinions, but no doubt they were conscientious; no doubt but that the zeal he had formerly displayed in a popular cause, he had transferred with equal sincerity to a cause of which it might truly be said that it was not popular. There were several gentlemen of the name of Smith engaged in this trial, all men of high talent; he did not, however, know that Mr. Smith, the attorney, was related to the other two gentlemen. On the trial, as was too often the case in Ireland, a great deal of political controversy took place in Court. The Counsel for the prosecution did not hesitate to charge his Majesty's Government with collusion and unfair practices, to which libels the Counsel on the other side naturally replied with all the spirit and manliness which so distinguished him. The Chief Baron in a judgment, in which it had been thought some extra-judicial observations were mixed up, granted the rule sought for, thus virtually setting aside the order which he had himself sanctioned in 1823, and giving

Dudley authority to call in the police to his aid. He would ask the House to consider, with a view to ulterior litigation, in what a state the country was placed by this decision. The whole country was placed at the foot of this Lay Association, with Lord Roden at its head. Already they had subscribed amongst themselves large sums of money. The country was allocated into various districts, watched over through the medium of chosen attorneys. Already had 617 bills been filed, many of them for the most contemptible sums, as the returns made to the House would show. The Lay Association had nothing to do but to file bills, and issue commissions of rebellion, without the authority or even knowledge of the Court, in which the name of some ferocious myrmidon of Orangeism should be inserted, and their object would be gained. Let them insert, for instance, but the names of men such as burned six houses in a village in Armagh—men who came into a court of justice and rescued prisoners. There was no reason to suppose that such truculent and ferocious men would not be selected and sent down into the disturbed parts of the country to call upon the police and soldiery, excite riots, and drive the whole district into anarchy and bloodshed. The House might judge what would be done from what had been done. The name of Borrisokane would at once suffice to strike the hearts of all who heard it with feelings of horror at the past, and dread for the future. To such scenes the decision of the Irish Court of Exchequer gave a virtual sanction. His object was not to charge criminality against any one, but to put the House in possession of the circumstances, and draw their attention to the scenes of slaughter which had been witnessed at Newcomer, Rathcormac, and Enniskillen. He wished the English people to know the facts. If he had overcharged his statement, let it be corrected. In conclusion, he moved for a return of the number of bills filed in the Court of Exchequer of Ireland for tithes since the 1st of August last, and of the names of the plaintiffs and defendants, and the sums claimed against such defendants respectively: also of all processes which have issued out of his Majesty's Court of Exchequer in Ireland, in the cause of Knox *v.* Gavin and others, and of all orders issued in the said cause, and all affidavits made therein; also copies of any order or orders made by his Majesty's Government in the years 1823, 1825, and 1833, respecting the employment of the police in the service and execution of writs, and of the expenditure attached to such orders.

Mr. Sergeant *Jackson* said, that both his hon. and learned Friend, the Member for the University of Dublin (Mr. Lefroy), and himself had cause to complain of the course which the hon. and learned Member for Tipperary had taken on this occasion. The first part of the hon. and learned Gentleman's motion formed the subject matter of a distinct notice, and as he had told them that he would not submit it to the attention of the House without giving them some previous notice of his intention, they clearly had a right to complain of having been taken by surprise. He (Mr. Jackson) had come down to the House that evening expecting to hear the hon. and learned Member for Tipperary move in accordance with the notice on the paper; but he certainly did not anticipate that the hon. and learned Gentleman would have departed from what he had declared to be his intention. Had he been apprised that it was the intention of the hon. and learned Member to introduce any other topic on the present occasion he would have been prepared to meet him. Taken as he was by surprise he was not prepared, but still he would do justice to the Lay Association recently formed in Ireland to aid the clergy in obtaining their legitimate rights by defending them against the attack which the hon. and learned Gentleman had made against them. The hon. and learned Member had made a number of allegations for the purpose of showing that he had grounds for his motion, not a single one of those allegations he had no hesitation in asserting, was founded in fact. The hon. and learned Gentleman had, it would seem, brought forward the subject of a former notice which he had given for the purpose only of attacking the Lay Association, by stating that it was nothing more than an Orange Association, if that could be a reproach. [*" Cheers."*] By that cheer he supposed they wished to affirm that it was. He, however, utterly denied the statement. He asserted that the Association was not an Orange society, although he believed no Roman Catholic gentleman belonged to it. It was now the fashion to stigmatise everybody in Ireland who was not of that persuasion. He repeated, that it was now the fashion to stigmatise and render odious every Protestant who refused to submit to the domination of a certain despicable faction in that country.—[*" No, no."*]—He asserted that it was, and that, too, fearlessly, and without the hazard of contradiction. He admitted that the individuals who formed the Lay Association were Protestant gentlemen, but he most emphatically denied that they were confederated for any illegal or improper purpose. They were associated simply with a view to enforce the law, and not to violate it.—[Mr. *Sheil:* For the recovery of tithe property.]—Undoubtedly, the Association was formed for the purpose of supporting the law, by aiding those who required its assistance in seeking for that which was their unquestionable right. Tithe property was as much entitled to the protection of the law as any other species of property; but he prayed the House to consider well what the state of Ireland was at the present hour in relation to tithes. An extensive confederation, or rather conspiracy, existed throughout the whole of that country to rob the clergy. The clergy were not only pillaged and plundered to an incredible extent, but they found it utterly impossible to assert their rights; and such, in short, was the universal dread which this conspiracy inspired in the minds of men that even the hon. and learned Member himself had declared that he dared not set himself against it.—[Mr. *Sheil: "No, no."*]—Why, he had in his hand a letter written by the hon. and learned Gentleman to a Clergyman who had applied to him for payment of an arrear of tithes, in which such a reason was assigned by the hon. and learned Gentleman for his non-compliance with the application. Could it be wondered at that the clergy were driven to the necessity of filing bills for the recovery of their rights, when they found it impossible to obtain from the hon. and learned Gentleman—from a Member of the Legislature—payment of their dues without the interference of the law? But the House would like to know what the answer was which the hon. and learned Gentleman gave to the clergyman alluded to. He tells him—[Mr. *Sheil:* Read the whole letter.]—He had not the least objection to hand the letter to the hon. and learned Gentleman. The hon. and learned Gentleman might, if he thought fit, read the whole of it to the House, but he hoped the hon. and learned Gentleman would do him the honour to allow him to exercise his own judgment in selecting and reading from it the passage which struck him as most pertinent to the matter in hand. In other respects he wished it to be understood that this letter was by no means discreditable to the hon. and learned Gentleman. He was not to be dictated to by either the hon. and learned Gentleman, or any other hon. Member on the opposite side of the House, as to the course which he should pursue on this or any other occasion. [*"Oh!"*] He had not presumed to interrupt the hon. and learned Member in the course of his address, and all he required was that the hon. and learned Gentleman should not interrupt him. He should only read so much of the letter of the hon. and learned Gentleman as he thought material to the question now before the House. In this letter the hon. and learned Gentleman said, "You must be aware that, as Member for the county of Tipperary, I am obliged to make my election between the payment of tithes and the loss of my seat." Such was the reason which the hon. and learned Gentleman assigned for refusing to pay the tithes which he owed; but to what a pass had things come when a Member of that House was afraid to discharge a lawful demand because of an atrocious conspiracy of this kind—when his holding his seat depended rather on his compliance with the will of such a confederation than his obedience to the laws. Under these circumstances he should like to know whether any Protestant could see the clergy of the religion which he professed reduced to beggary, in the actual process of starvation, and not come forward to compel those to pay them that which they refused to pay except through the intervention of the laws. The hon. and learned Gentleman had stated as a fact what was altogether untrue. He had said that the Lay Association had filed no fewer than 600 bills for the recovery of tithes. [Mr. *Sheil* I said 617.] Whether it was 600 or 617, he denied the fact in the most positive terms. The statement was wholly destitute of truth. Although he said this, it was not his intention to oppose the granting of the returns for which the hon. and learned Gentleman sought, but he did wish that in some particulars the scope of those returns should be enlarged. Let the hon. and learned Gentleman prove, if he could, that a sixth or even an eighth part of the number of bills he had stated had been filed. He defied the hon. and learned Gentleman to the proof; and, what was more, he might, without the fear of contradiction, venture to assert that up to the present hour the Lay Association had not aided the tithe suits commenced in the Court of Exchequer beyond the number of from fifty to sixty through the whole realm of Ireland. The hon. and learned Gentleman said, that the number of suits of this description was 617, but he (Mr. Jackson) denied that the Lay Association had either filed or caused to be filed a greater number of bills for the recovery of tithes due to the clergy than that which he had already mentioned. Well but, said the hon. and learned Gentleman, there was no necessity for taking such cases into the Court of Exchequer when the Civil Bill Court was open to the parties to the extent of 10*l.* This was a plausible argument, no doubt; but he should be glad to know how claims in respect to tithes could be enforced by an inferior tribunal. They were all aware, or had, at all events, heard, of the manner in which process servers were treated when they attempted to carry the law into execution. He had been concerned in several cases in which the unfortunate process server had encountered violence and outrage of the worst kind. In one, the Sergeant-at-Mace of Youghal went some short distance from that town to serve process on a tithe defaulter. The instant he effected the service the defendant rushed out upon him with a pitchfork. The whole country was raised, and the unfortunate man was speedily felled to the ground, and beaten in the most brutal manner. Thinking they had dispatched him, his assailants left him to all appearance dead; but after some time he so far recovered as to be able to crawl to a neighbouring house, where he hoped to find protection; but on asking for a little water the female who opened the door saluted him with a blow of a pair of tongs which she had in her hand. These were facts which did not depend on mere report, but had been verified by affidavit. He then, as well as he was able, made his way to another house, but although there he received the draught of water for which he asked, the door was shut in his face. He should have been prepared to cite other instances of a similar kind had he known that the hon. and learned Gentleman meant to bring the first part of his motion forward without notice; but, as he had already said he was taken by surprise, he was not prepared to advance facts which he should otherwise have been able to adduce. He could, however, satisfy any man, that the clergy could not obtain their rights through the instrumentality of an inferior jurisdiction, and although it was charged against them as a crime, they had no alternative left but to resort to the Court of Exchequer. The hon. and learned Gentleman stated, that Mr. Smith was the attorney of the Lay Association, and he charged that Gentleman with—[Mr. *Shiel* made no charge against Mr. Smith, and meant to make none.] Well, but the hon. and learned Gentleman said, that Mr. Smith was the attorney of the Lay Association. This statement was just as void of foundation as the other allegations which the hon. and learned Gentleman had made. Mr. Smith neither was nor ever had been the solicitor of the Lay Association, but that Association had a solicitor, not, however, for the purpose of originating suits, but seeing that assistance was given in no case that did not merit interference, and that the proceedings were properly conducted. Mr. Richard Open, a gentleman of high character in the profession, was the solicitor of the Association, and his duty was rather to prevent oppression than to cause it. It was not the wish of the Lay Association that the poor should be attacked, or that suits should be commenced for other than substantial sums, or against any persons who put themselves forward as ringleaders in resisting the payment of tithes. He would admit that they preferred instituting proceedings against persons in opulent circumstances—Members, for instance, of that House, or Magistrates—they preferred taking men of station for the purpose of enforcing obedience to the law to any other persons, because such parties were bound not to set the law at defiance, and create rebellion; but to show a good example by their conduct to the country at large. It was a well known fact that the Irish people had had pointed out to them all the subterfuges and stratagems by which the payment of tithes could be resisted, and one hon. and learned Gentleman had gone the length of advising the wallopping away of those who might attempt to execute process for tithe. Now, he asked, were such things to be endured by a British House of Commons; or whether men were to be branded with infamy merely because they had confederated together peaceably and legally for the purpose of enforcing a just right? The hon. and learned Gentleman also said, that in the case of Holmes and Hodges costs had been accumulated to an extraordinary amount, not by Mr. Smith, but by the Lay Association. But would the hon. and learned Gentleman have the hardihood to assert that the Lay Association had any concern whatever with that case, either directly or indirectly? He called on the hon. and learned Gentleman to make such an assertion if he dared. He (Mr. Sergeant Jackson) verily believed that the Lay Association never even heard of the case; at least he, who was a member of it, and had attended its meetings, never had. If it were a crime to belong to such an Association he was willing to take the whole burthen of it on himself; but, so far from thinking the object which it had in view criminal, he considered that object so meritorious that he should do all in his power to promote the utility of the Association. As it was not his intention to object to the motion, all he hoped was, that the hon. and learned Gentleman would have rendered the returns more comprehensive—that he would have ascertained not only how many suits had been brought—how many demands had been paid in consequence—what amount of costs had been incurred, but how many decrees had been pronounced, and what the number of bills was that had been dismissed on the hearing. As the hon. Gentleman had not done that, he would propose that addition to the hon. and learned Gentleman's motion. He asked this to show whether the suits which had been commenced were well or ill founded, and whether they had not been rendered necessary by the system of terror which prevailed, and prevented parties from paying tithes without the intervention of the law? The fact was, that in a large number of cases the demand had been already settled, and that many who had refused to pay tithe, had done so under a system of terror, and they were glad of an excuse to make the payment, and to be let off without the costs; and he believed there were many instances in which this accommodation was afforded them. The proceedings were properly managed, without any view to expense or oppression. The hon. and learned Gentleman had next passed on to another subject involving the character of the Lay Association, but not at all intending to inculpate the Barons of the Exchequer. The hon. and learned Gentleman did not mean to insinuate any thing to their disadvantage, and yet it did strike him (Mr. Jackson) as rather strange that the hon. and learned Gentleman should have been so emphatic in his remarks upon the circumstance, that the Chief Baron happened to be Attorney or Solicitor-General at the time when the rule was made, founded upon the Act of the 3rd of George 4th, and that, nevertheless, he should have decided with the other Barons of the Exchequer who presided, against the view of the law which the hon. and learned Gentleman took. The question was now, he understood, the subject of appeal, and it would be seen hereafter whether the decision of the Court of Exchequer in Ireland was proper or otherwise. But the hon. and learned Gentleman thought it strange, forsooth, that the Barons of the Exchequer should rule a case contrary to what he conceived to be the construction of a rule acted upon by the Government of the day, when the present learned Chief Baron was a law-officer of the Crown. He likewise insinuated it was very extraordinary that, whereas Baron Smith had been confined by illness from the 2nd of November to the 26th of January, he suddenly came to the Court of Exchequer on that day to hear that cause. Now he was extremely glad the hon. and learned Gentleman had disclaimed the intention of casting any imputation upon those eminent and learned persons; but if the hon. and learned Gentleman had not uttered that disclaimer, his remarks would have appeared to him (Mr. Jackson), and to those around him, as if intended purposely to convey some insinuations. He was not there to vindicate the Chief Baron, or Baron Smith, or Baron Foster. Their characters were far above any advocacy of his. He was satisfied that the British public, as well as the Irish public, knew the characters of those men, and knew that they were utterly incapable of being swayed by any motive but an anxious desire to discharge their sworn duties conscientiously and faithfully. But was the hon. and learned Gentleman certain that the hon. Baron had come down to court for the first time after his illness to preside in the case of Knox *v.* Gavin? He believed the learned Gentleman would find himself mistaken in that as in all his other statements. With respect to the law of the case of Knox and Gavin, he ventured to say no two lawyers could differ. Was it contended that, by the rule which had been referred to, a dispensing power was given to the Lord-lieutenant—much less to an inspector of police, a power to dispense with the common law of the land? Was it contended that the jurisdiction of one of the King's superior Courts, the Court of Exchequer, was to be ousted by such means? The Act in question said, that it was competent for the inspector of police to frame regulations for the management of the police, and for the guidance of their conduct; and that these regulations, when approved of by the Lord-lieutenant and Magistrates of the county, became the rules to which the constabulary force should conform: but they were intended merely for the regulation of the internal economy of the police—the use of their arms, the care of their horses, the general regulation of their conduct, and such matters. The rule is (for the police) not to interfere—that is, they were not to volunteer to do so. The rule says, unless called upon by a Magistrate to do so. He (Mr. Sergeant Jackson) would put it to the common sense of any man whether it could be otherwise? [*Hear, from Mr. O'Connell.*] The hon. and learned Gentleman cries "hear"—let him controvert the proposition if he can. He (Mr. Sergeant Jackson) was not afraid to meet him—he would not say merely before a court of justice, but in the presence of the Members of the profession of the law in that House, or even before Members possessing common sense, though not professional men; and he would ask, whether it was in accordance with common sense to invest the Magistrates of the county with power to cause process to be executed, and and yet to oust the jurisdiction, and nullify the King's writ issuing forth of his Court of Exchequer? But then the hon. and learned Member said that the writ of rebellion was abolished in England. Now, that was a statement that was not founded in fact; and he must say, that he thought it was rather inexcusable in the hon. and learned Member to make that statement, because, as a member of the profession, he ought to have known that the issuing of a writ of rebellion, so far from being obsolete, had never been disused in Ireland. Before the Lay Association was formed, in 1834, one of these writs was issued from the Court of Exchequer in Ireland, and the party was brought up in custody. But then, said the hon. and learned Gentleman, the writ had been abolished in England. He (Mr. Jackson) begged to inform him that he was utterly mistaken. True it was, that it had been recommended by certain Commissioners that the practice should be abolished; but the recommendation had never been acted upon. It did so happen be could show that the practice existed to this day in England, because no longer ago than when Lord Brougham was Chancellor (and it could not be said that his Lordship was obsolete), a person was brought before him in the Court of Chancery, under a Commission of rebellion. The case was one of some encroachment on an oyster bank; and Lord Brougham, when called upon to discharge the party, said he could not interfere. This occurred so recently as when Lord Brougham was Chancellor, and therefore to say that the process was obsolete was contrary to the fact; and to say that it was abolished in England was equally so. He (Mr. Jackson) would go the length of saying, that even if the issuing of a writ of this description had slumbered for 200 years, the present state of things in Ireland required it should be revived.—Let hon. Members look to what had existed and to what did exist in Ireland, and let them then say whether it was not the bounden duty of the Court of Exchequer to carry the powers with which it was invested into full force and effect. The law must not be put down. It must be upheld, and, please God, it should be upheld and obeyed. He (Mr. Jackson) would not believe that any hon. Gentlemen, whether Whigs, Tories, or Radicals, could be of opinion that the laws of the land should be openly defied and set at nought with impunity—such an extremity of absurdity had not yet been arrived at, that the people of England would stand by and see the laws trampled under foot. Sure he was, that the people of England had not gone thus far, and he trusted they never would. I go even further still—I say, that if this writ had never existed, it would have been the duty of the Judges of the Court of Exchequer to have devised writs and invented processes to have met this emergency. The hon. and learned Member would find, that whenever cases had occurred of a declared and determined intention to set the process of the Courts at defiance, the Judges had always devised writs to meet and prevent such contempt of their authority. This was done in the reign of Queen Elizabeth, when writs of sequestration were first invented. The hon. and learned Member concluded by expressing his gratitude to the House for the great attention with which it had listened to his remarks, and by stating that, if the hon. and learned Member had moved for these returns without making any observations, he should not have offered the slightest objection to the production of them; but the hon. and learned Gentleman had thought fit to preface his motion by what he was pleased to call a statement of facts, and that statement had compelled him to show that what the hon. and learned Gentleman called facts had no existence, save in the fertile imagination of the hon. and learned Gentleman. The hon. and learned Gentleman moved as an amendment to the first part of the motion, that the return should state not only the number of tithe bills which had been filed in the Court of Exchequer, but the cases in which the defendants had paid the demands either in the whole or in part, together with the number of cases heard, and bills which had been dismissed in hearing.

Mr. *Hume* said the hon. and learned Gentleman opposite seemed anxious to have all the details, and he would therefore suggest to him that it would be more satisfactory if the return stated also the amount recovered, the amount of cost, and the number and names of the attornies employed.

Mr. Sergeant *Jackson* had not the slightest objection to the addition.

Mr. *O'Loghlen* said, the hon. and learned Gentleman opposite must be aware, from his knowledge and practice in the Court of Equity, that no bill filed since the 1st of August in the Court of Exchequer could have come now to a hearing, nor, of course, could any bill be discussed up to this period. The hon. and learned Gentleman having obtained the return he moved for, and it appearing that a certain number were not dismissed, would probably argue that all the cases not dismissed had been well founded. He thought it his duty to give this explanation in order to put the House on its guard against such an inference.

Mr. Sergeant *Jackson* always differed from the hon. and learned Gentleman opposite with great reluctance; but he was much mistaken if he was not present himself when there was a decree of sequestration in many of these cases.

Mr. *O'Loghlen* begged to assure the hon. and learned Gentleman that he was not present at any one decree. He must remember, if he would just recollect himself for a moment, that not one of the defendants would be required to answer till January, and then there was a long stage between the answer and the decree. There were two or three stages between the answer and the sequestration. The return might be amended so as to give a list of the various bills filed from the 1st of August, 1834, to the 1st of August, 1835, and of the decrees of sequestration down to the present time.

Mr. Sergeant *Jackson* agreed to the suggestion.

Amendment agreed to, and the amended motion was put.

Mr. *O'Connell:* I shall not trespass long upon the House; but I feel called upon by the very triumphant tone in which the hon. and learned Gentleman has challenged me upon the point of law, totally to disclaim his law. I feel morally convinced that he is entirely mistaken in that law. I do not rise to arraign it as a fault in the Protestant clergy, that they have been filing a great number of bills, by the aid of a thing called the Lay Association; but to show what an irrational cause for a triumph has been claimed over the hon. and learned Member for Tipperary, that he did not exactly know by whose direct instrumentality the Lay Association worked, or how many of those suits had been volunteered by the clergy themselves. I do not think that the hon. Member was very culpable in not knowing the one or the other, nor why there should have been such a vehement thumping of the box, because he happened not to be aware of it. I do not know in what of all this consisted the triumph. There are truisms which may be bawled out until they crack the ears of the listeners. It is quite true that we should carry the law into effect. I do not know of any man who will now gravely stand up in any assembly, and say, that the law ought not to be executed. All these things were perfectly true; but the question is, will they apply to the matter before us? Some, indeed, may regret that the Protestant clergy have no better manner of converting their parishioners, than first by going to law and then to war with them. The process of conversion is now 614 bills in equity and a writ of rebellion. This certainly must reconcile the people of that country to the religion of those clergymen; and this is the cause of triumph, to make them thus levy their dues, of which the hon. and learned Gentleman opposite has boasted. Now, if the Lay Association, instead of combining to carry on vexatious proceedings against the community, had subscribed money to pay and support the Protestant clergy out of their own pockets, their act might have met with the approbation of every human being. Surely the subscription to such a fund has been praised by everyone who has heard of it; and the act of those who have generously supported the clergymen in whose doctrines they believe, has been universally approved of. I had imagined, when I was at the bar, that it was taken to be undoubtedly the law, that five or six persons combining together to carry on law suits, were doing an act which was not approved of by law—nay, that any men, or set of men, uniting to carry on what might be the most justifiable claims, were doing that which was punishable by law. That was the law when I was at the bar, and there are persons now to praise such an act! Instead of "maintenance," when I was at the bar, being most laudable, it was condemned, and yet there are now present persons to laud it, and learned Counsellors to boast of it. There is no other topic upon which I would wish to address the House, but for the triumph claimed, in the dignified manner that it was claimed, over my hon. and learned Friend. I never knew, Sir, until this evening, that the Court of Exchequer was a Criminal Court. I did not know until now, that those who sat on the Judicial Bench had a right to exercise all the powers of the Executive; but I have now to learn from his Majesty's Attorney-General for Ireland, whether by a writ of rebellion the Court of Exchequer can take the command of the military and police force in Ireland. Triumphant as has been the manner of the hon. and learned Member opposite, I do say, that the very contrary position was laid down by Chief Baron Joy, when he was Attorney-General for Ireland; and I do believe that that very opinion is to be found in his own handwriting, with the date and the very time at which it was delivered. I do believe it will be so found by the noble Lord who represents the Government of Ireland. If he should feel it to be his duty to call for the opinion of the Attorney-General Joy, he will find that opinion in direct opposition to the judgment of Chief Baron Joy. I have no more doubt of this than I have of my own existence. I defy the hon. and learned Gentleman opposite to contradict me. The Court of Exchequer has Judicial powers; but it has not jurisdiction over the police. There has been a talk of inferior Magistrates having power over the police, and not the Court of Exchequer. The Magistrates take out the police, because the warrants must be obeyed. Now, the Court of Exchequer does not go out with the police; nor does it appoint any one to do so, except a process-server, who is certainly not the most respectable character in society. A common process-server is to take the command of the police? Is that the hon. and learned Gentleman's law? And what is material, too, upon this point, the person is named, not by the Court of Exchequer, but by the plaintiff. He is named in the office where the writ is issued, and without the Court's interference at all; then the plaintiff can name the lowest person in the community. The hon. and learned Gentleman's law is, that the plaintiff can name the greatest vagabond, or the worthiest person, he chooses—for he is perfectly free in his selection—and such a person can take out the entire police and military; for if the police are bound to go out, so are the military also. And when hon. and learned Gentlemen talk of the jurisdiction of the Court of Exchequer, what is its jurisdiction if a murder is committed?—if high treason is committed, what is its jurisdiction? The Court has not the least jurisdiction. And yet the Court that has no jurisdiction in such cases is now to revive a writ of rebellion, and under a paltry pretext, seek to confer such power through means of an obsolete instrument. I, for one, will speak out—I arraign that decision—I say that it was a political decision. I say it was a Lay Association decision. They who made it were parties with the Lay Association, and by an obsolete process they assumed to themselves, in order to spite the Executive, an authority over the police force, which is most formidable to the entire liberty of every British subject should it not be restrained. If it be true (and I should be glad to find whether I am correct or not) that the Chief Baron when at the bar advised Government not to allow the police to be taken out to serve civil process, then I arraign this as a political decision. Then we have, too, the knowledge of Baron Smith, who was sick on the 2nd November, being again the 26th January able to go into Court—I hope he was really well. [*Cheers from the Opposition.*] What harm is there then in my saying, that I hope he really was well? But, if an imputation be cast upon him, let the fact speak for him. He was sick for two months before, but able to preside at the trial of Mr. Reynolds. I understand the fact to be, that the learned Baron was not in Court from the trial of Reynolds until the decision was given on the writs of rebellion, on the 26th January. And yet hon. Gentlemen opposite seem not to be pleased with me, when I say, that I am sorry Baron Smith was not better. But is it now to be heard of in the British dominions, that a Court of Equity—an inferior class of a Court of Equity—invented for the purpose of collecting the rents due to the Crown, and acting under the fiction, that debts claimed to be due are due to the King; and yet, is it to be said, that a Court of this kind, which is merely civil in its nature, and without any criminal jurisdiction, should, by a fiction of law, assume such powers? Centuries ago it was decided that Courts should not invent new writs. I am astonished where the hon. and learned Gentleman has left his law. Such a power it has over and over been decided that Courts should not assume —it has been taken away since, about the time of *Magna Charta*. [*Laughter from the Opposition (in which Colonel Perceval we believe) was distinguished.*] Why, the hon. and gallant Colonel (Colonel Perceval) actually imagines, he is so deluded as to suppose, that he knows something of the matter. Writs are at certain times allowed to be made; and the officers of the Court can accommodate writs to particular purposes; but are we now to be told, that a Court of Exchequer is to invent a writ to effect a particular object; and this to be declared to us with all the triumph of boxing the table, and responded to with cheers, as if their opponents were hunting after Whiteboys, or shooting down the non-payers of tithes. Why, I say, there will be some pretence for these heroics, if the Government will give in to the fancies of Chief Baron Joy, Baron Smith, without calculating upon their aide-de-camp, Baron Foster. Until the King's Government advocate a feigned process like this, I shall be of opinion that the Court of Exchequer has no criminal jurisdiction—that it has no power over the police—no power over the military—and that this writ of rebellion has been obtained and granted, not as a remedy, but for vengeance.

Mr. *Lefroy* was not surprised to hear the hon. and learned Gentleman arraign the Court of Exchequer. There was no respectable body in the empire which, he believed, had not at one time or the other been the object of the hon. and learned Gentleman's invective. Some time since he believed the hon. Gentleman had arraigned some of the Members of his majesty's present Government. He did not rise to enter into the subject at large. He was perfectly satisfied by the manner in which his hon. and learned Friend had discharged his duty, and he should feel that he would but weaken the impression produced by his hon. and learned Friend's excellent speech were he to go at length into the subject. He certainly felt surprised to see any Member of the legal profession stand up in his place to arraign the power of the Exchequer to issue writs in the cases referred to. With respect to the jurisdiction of the Court of Exchequer, he would quote a high authority on that part of the subject. The hon. and learned Member read an extract from a Law-book, establishing the jurisdiction of that Court in the issue of such writs as had been referred to. This writ of rebellion was not an ordinary proceeding he was free to admit, but would the hon. and learned Gentleman deny that from the foundation of the Court of Exchequer, this writ had been a portion of its process? The Court, on the failure of the primary proceeding, exercised the right of issuing a writ of rebellion, directed to the parties named in the mandate of the writ, and calling on all police officers and all other persons to be assisting against those guilty of the contumely of resisting the first writ. Every Magistrate was bound to be assisting in the execution of this writ. The Sheriff of the county was bound to assist in its execution, and every subject of the King was called on to be aiding and assisting. The Court having issued its original process when the party stood out against the minor process, why should not the Court exercise the privilege of proceeding to a final remedy? Why should not the Court in such a case have the right to call all the parties into Court? Could any man contend, that the law should be fruitless, and the power of the Court be at an end, as would be the case if this right were refused to it? He was surprised how this course should have been taken. He was surprised to hear in Parliament the authority of the Courts of Justice denied, and their proceedings cavilled at. If the power of the Courts to vindicate the law was to be interfered with where was the protection for the safety of society, for the liberty of individuals, or for the rights of the subject. He was surprised to hear such an argument. The hon. and learned Member for Dublin had talked as if this proceeding was a revival of an obsolete practice. But it was no such thing. He had had thirty-five years' experience at the Bar, and he had always known that when the Courts had had their authority set at defiance, they had resorted to the most effectual means in their possession to vindicate their authority. When defiance was hurled at the law, and when civil rights were invaded, it was right that the law should put all its energy forth in its own vindication, for the maintenance of its own dignity and the protection of those rights. The jurisdiction of the Court of Exchequer required this vindication. This authority had been set at naught, and it was its right, and, more than that, it was its duty, to vindicate its authority in the most powerful manner. Great reliance seemed to be placed at the other side upon opinions or advice which had been given to a former Government by the present Chief Baron of the Exchequer when Attorney-General. What did that advice amount to? Why, simply this, that it was not advisable to employ the police force in civil process; but if any case should arise demanding the interference of a Magistrate, the police were then to be called on to interfere. He did not think that this power had been exercised unless where the original process of the Court had been contemned, and he certainly could not conceive, that any blame could attach to the Court of Exchequer for attempting to vindicate its own authority. It had been contended on the other side, that the power of calling into assistance the police force was not to be exercised unless by the interference and under the control of a Magistrate. But, notwithstanding all that had been attempted to be contended to the contrary, he never could persuade himself that a power would be given to a subsidiary Magistrate which would be denied to one of the high Courts of the country. He would repeat that if this power of calling the police force into exertion for the vindication of the law were placed in the hands of an inferior Magistrate, why should not such power be placed, or why should such power be withheld, when one of the highest Courts in the collection of the King's revenue called for assistance in the execution of its processes, and in the vindication of its authority. He trusted, that it would fully appear to the House that in any proceeding which had taken place, the Court of Exchequer had in no way exceeded its authority, or outstripped the bounds of its jurisdiction; and he felt satisfied, that he would encounter little difference of opinion when he expressed an expectation that the House would concur with him in thinking that in any portion of his judicial conduct respecting the transactions in debate, the learned and eminent person who was Chief Baron of the Exchequer had in no way acted inconsistently with those opinions on which so much argument had been founded as having been expressed by that learned person when he was Attorney-General. In this conviction, he would not offer any further observations.

Mr. Sergeant *O'Loghlen* stated, that having been appealed to by the hon. and learned Gentleman (Mr. Lefroy), he could not allow the debate to close without offering a few observations to the House. He did not deny that the practice of issuing writs of rebellion existed; but then he would say that even in the Court of Exchequer in Ireland, a person writing against the practice of that Court, so long back as the year 1770, called it even then an obsolete process. The Court of Chancery in Ireland had abolished it. Though he admitted the existence of the process in the Court of Exchequer, he did not know of its being executed but in one or two instances. He stated this as a fact which could not be contradicted, that in any report of any law case there could not be found a precedent for such an order as the Court of Exchequer made in the case then under consideration. It was not the mere issuing of a writ, and the arresting of a party, that the public had a right to complain of; but it was this—that the Court of Exchequer had not merely ordered it to be executed, but it had taken upon itself to commit two individuals who had declined to take part in the execution of that writ—one of those persons living at a distance of eighty miles from where the other was called upon to assist in its execution. The question was not as to the issuing of the writ, but whether that House was prepared to sanction a Court in declaring this:—that it would attach for contempt every man who refused a bailiff named by the plaintiff, to go and assist him at any time, and under any circumstances, to execute this writ. This was a question which affected the liberty of every individual; because if it were to be held that the police constables were to be attached for not obeying the summons of a Commissioner in a writ of rebellion, there was no person in the community safe—nay, the Chief Baron himself might be attached for similar conduct. The police in Ireland, as the House knew from a discussion which took place in an early part of the evening, owed their origin to an Act passed in the year 1822. That body of police now consisted of upwards of 7,000 men. The expenses of supporting them was defrayed half out of the consolidated fund, and the other half was paid by a tax levied in the different counties in which they were employed. Under the Act of Parliament, the Lord-Lieutenant of Ireland had the power of framing rules and regulations, not merely as regarded the internal regulations of the police, but stating precisely what the duties were which the constables had to perform. In 1823, shortly after the passing of the Act, rules were framed pursuant to this power, and the Lord Chief Baron, who was then Solicitor-General, admitted in Court, when he was pressed upon the subject, that he had framed the rule which had been mentioned by the hon. Member for Tipperary, and in that rule it was distinctly laid down that the police were not to interfere in the execution of civil process, unless called upon by a Magistrate, or the Sheriff in person. In 1823 this rule was framed by the Chief Baron. A question arose, both between the Sheriffs and Magistrates and the Government upon this subject. The Sheriffs insisted that the police should aid them in the execution of these writs. The Government, however, insisted that the police constable was only to be a preserver of the public peace. In 1823, the Government having been applied to for the aid of the police in the execution of tithe-warrants, the Chief Baron gave this opinion:—"It might be right to advert to the impropriety of employing the police to assist in the execution of tithe warrants—the interference of that body in assisting in the first instance in the execution of civil process being most improper." [*Cheers from the Opposition Members.*] Hon. Gentlemen had better reserve their cheers; he would presently state facts which would show that they had not much cause for cheering. This opinion proceeded;—"If any breach of the peace is committed by resistance to civil process, then, and not till then, can the interference of the police be warranted, and this for the purpose of apprehending the offenders." The Lord Chief Baron then advised that the police should only interfere after a breach of the peace, and even then but for the purpose of apprehending the offenders. In 1823 the Sheriff of Limerick called for the aid of the police in the execution of civil process; and, when they considered this case, the facts of which he would state presently, he would ask, could any person contend that when assistance was refused to the Sheriff, it should be given to a bailiff named by the plaintiff—that the first and most responsible officer should be refused, and that every person named in this obsolete writ, no matter who he was, should have such aid? If the police went out under the orders of a Magistrate, the law protected them as long as they acted under the orders of that Magistrate; they all knew, from sad experience, what unhappy conflicts had taken place when they had been so called out; and would it now be said that it was the duty of the Government to allow the police to go without a Magistrate or a Sheriff with any person, no matter what his situation in life might be, unknown, irresponsible, the mere bailiff of the plaintiff; that under the orders of such persons they were to break open doors by day or by night, and arrest any person whom their Commission might point out? Would the House sanction any such doctrine when it recollected the numerous conflicts between the police and the people, even when the former were acting under the orders of the known and responsible authorities? He said, that in 1823 the Sheriff of Limerick applied for aid, and this was the answer given:—

"I have to acknowledge the receipt of your letter of the 14th instant, and having, by the Lord-Lieutenant's desire, consulted the law adviser of the Crown, I am to acquaint you that he is of opinion that, except in a case of actual breach of the peace, the police cannot be employed by you in the capacity of Sheriff."

The Sheriff, not satisfied with this answer, inclosed a copy of the opinions of Mr. Saurin and Mr. Pennefather, stating that they considered the police could be taken out as part of the power of the county, and requested that the opinion of the law officers of the Crown should be taken with reference to those opinions. He stated that his county was under the Peace Preservation, as well as the Insurrection Act; and that he could not, without imminent danger of life, attempt to execute the King's writs. This was the application of a Sheriff; and he would read now the answer of the Solicitor-General Joy; he was warranted in calling it so, for the original was in his handwriting:—

"December 24th, 1824.

"Sir,—I have received and laid before the Lord Lieutenant your letter of the 19th inst., soliciting the aid of the police in the execution of writs, and I am to acquaint you that it is no part of the duty of the constables under the 3d Geo. IV., c. 103, to assist in executing such writs, and his Excellency, therefore, cannot give the order which you require; but if the persons properly authorised to execute them are obstructed or resisted in the execution of that duty, the constables will be bound, on informations as to the circumstances being sworn before a Magistrate, to apprehend the persons concerned in such obstruction or resistance, for the purpose of bringing them to punishment."

This letter appeared to be signed by the Under Secretary for Ireland. To it was appended this:—

"The new constables are to be employed in arresting any of the persons who can be sworn to have been guilty of the attack on the Sheriff. As to assisting the Sheriff to execute civil process, they are not to be called on except as part of the *posse comitatus*, from which service they are not exempt.

"January 24, 1825."

The Magistrates and Sheriffs were not satisfied with this; and the case was laid before the Attorney-General and the Solicitor-General. The opinion given by them was:—

"We have already, on full consideration, given our opinion, that the proper duty of the constables appointed under the new Act is to act in the execution of Magistrates' warrants in cases only where a breach of the peace is committed; in all other cases, the Magistrates are at liberty to proceed as they have hitherto done, the power of appointing constables for such other purposes remaining unaffected by the late Act. The Magistrates, therefore, will direct their warrants as usual, but should not deliver them for execution to the new constables.

"W. C. Plunkett.

"August, 1824." "Hy. Joy."

This was in 1824, and, in that year, such was the opinion given by the present Lord Chancellor and the present Lord Chief Baron. In 1824 another application for assistance was made, and this answer was also returned under the direction of the Chief Baron:—

"I have had the honour of receiving, and submitting to the Lord Lieutenant, your letter of the 29th ult., representing, by desire of the Justices of the Peace acting in the barony of Clanwilliam north, and county of Limerick, the difficulty in which they are placed in consequence of the police not being employed to execute warrants for the recovery of tithe. I am directed by his Excellency to inform you that, after the most mature and repeated consideration of the subject, it is considered, that the employment of the police, in the first instance, in the execution of civil process, would tend mainly to defeat the great object of their institution; but, that if any breach of the peace should be committed in resisting civil process, the employment of the police to apprehend the offenders would be quite consistent with the purpose for which they were established, and would be highly proper."

He had to state now, that another application was made by the Sub-sheriff of the county Clare, who applied to the High Constable Watkins, to give him some mounted police to assist in the service of writs. He would refer presently to the answer then given by the then Secretary for Ireland, who was, subsequently, the Chancellor of the Exchequer. The application to the chief constable is reported by him in the following letter:—

"Sir,—I have to report the conduct of Mr. Benjamin Green, Sub-sheriff of this county: this day he had three mounted men out executing a warrant, and on his return said to Serjeant Ryalls that he would require four mounted men in the morning to go close to O'Brien's Bridge, there to protect him in performing his duty. On my return from Tulla, Serjeant Ryalls acquainted me with his wishes. I sent my compliments to Mr. Green (by Serjeant Ryalls) that the duties to be performed were out of my district; that he could get men at O'Brien's Bridge. He replied, I was very impudent for sending such a message, and that he should have the men. When Serjeant Ryalls returned, he reported Mr. Green's reply. I was going down to call on Mr. Green, but met him in Gaol-street. I called him one side from the party he was speaking to, and, on my commencing to speak to him, he commenced abusing me in a most violent manner; said he should have the horses to go where he pleased, that they were there for his use, and many other things I cannot call to memory. I replied he should have the horses, but that I would report the circumstance to you; he said I might do so, and was so very intemperate as to collect a mob about us. I have now, Sir, to beg the favour of an inquiry into this case. If I have been in error, it will be the means of preventing a recurrence; if, on the other hand, it will appear I have not been in error, I trust you will have the goodness to take such steps as you may think best, so as to protect me in the execution of your orders; the place Mr. Green is going to is Doonass, two miles from O'Brien's Bridge, and one from Clonlara; at the former station, is Lieutenant Bendon and party; at the latter three men at present. It is twenty-three miles from Ennis. It will also be necessary to acquaint you, that on Monday all the horses were at the fair of Quin, and much worked up; this day, as I said before, he had three of them out. One man was with me at Tulla, and one ill, leaving but two not employed. I conceive that forty-six miles would be too much for the horses in a day, and particularly when men and horses are so convenient. He asked me if I thought he was to go out of his way to order those horses, I cannot describe the abuse he gave in the presence of many persons."

The then Secretary for Ireland sent the following instructions to the chief constable :—

"I have submitted to the Lord-Lieutenant your letter of the 13th, stating the case under which the Under-sheriff for the county Clare had required the attendance of the mounted constables for his protection, and requesting instructions as to the course to be pursued by you in the event of such demands being repeated. I am commanded to acquaint you, that the constables cannot legally be employed by the Sheriff or his deputy, in the execution of civil process, and as it is essential that this should be distinctly understood, it will be necessary that all applications for this purpose should be withstood. In the execution of criminal process, or for the maintenance of the public peace, the Sheriff has a legal power of requiring the service of the constable."

Here the police would not be given to the sheriff of Clare when calling for their assistance in the execution of the King's writs. This was the advice given by the Chief Baron, who now said that it was a contempt in constables to refrain to aid a commission of rebellion. There was no lawyer in the House, or out of the House, who would contend that a writ of rebellion was any thing more than a civil process to enforce civil rights; the treason was purged by the paying the plaintiff's attorney his bill of costs; upon that being done, "the rebel" was pardoned. The process was to enforce an appearance; but it never was contended, by any lawyer, that it was a criminal process. In the month of December, 1824, another gentleman from a different part of Ireland, that was described as being exceedingly peaceable, thus describes the state of the peasantry. This letter was from the Sheriff of Fermanagh, and dated the 19th of December, 1825.

"Sir—Having in my hands at this moment several of the King's writs, at the suit of the very rev. Dean Burrows, against a number of persons residing on the school lands in the barony of Glenawly, in this county, and been hitherto opposed in the execution of my duty by large armed parties, riotously assembled together, bearing flags and otherwise apparently determined to commit a breach of the peace, should I have persisted therein, I am thus reluctantly obliged to call upon his Majesty's Government for their directions how to obtain aid in support of the civil power herein, prior to my again attempting the execution thereof.

"I should not thus intrude myself on your notice, but that without a Magistrate's warrant the police of this county will not obey any but the High-sheriff in person, or the military, unless at the moment of opposition; neither of which would I call on except in a case like this, where I have been myself a witness, and a number of affidavits have been made that both lives are likely to be endangered, and a breach of the peace apprehended, should I go to those lands unprotected.

"Your advice and immediate attention to this matter will materially facilitate me in my duty in this behalf, as also remove the awkward manner I am placed in as to my power of calling on the police without a Magistrate's warrant, (which cannot at all times be procured,) or the High-sheriff attending in person. And I am, Sir, &c."

The answer to this letter was to this effect, from Mr. Gregory :—

"The men will, on no account, interfere in the execution of any writ, decree, or civil order, or in driving for rent, tithes, or taxes, unless called out by a Magistrate, or the High or Sub-sheriff in person, and then they will only consider it their duty to protect those persons in the execution of their office."

Acting on this authority the Sub-sheriff went out on the 19th of January, and met with the same hostile resistance; an account of which he thus gives:—

"Enniskillen, Jan. 20, 1826.

"Sir—In pursuance of your letter of the 24th December last, given in reply to mine, stating the necessity of my being protected in executing civil process on the school lands in the barony of Glenawly, in this county, from the armed parties which before opposed me, which letter refused me the aid and support I solicited from his Majesty's government, I repaired on the 19th (yesterday) January instant in order to execute certain of the King's writs, when the same party attacked myself and my men, rescued cattle, and the persons themselves against whom I had orders were opposed to me, and gave orders and directions to a number of men armed with guns, bayonets, forks, sticks (of all kinds), and stones, who, in the most savage manner attacked and beat myself and four men whom I had with me, (three of whom are now lying in their beds under medical care, and myself unable to leave my room). The party being all strangers to us we cannot identify any; but both my own and my men's examinations have been taken as to general rescue and beating, and I have sworn against one man, against whom I had a writ, and whom, on my desiring him to deliver himself as a prisoner, ordered the party (which consisted of about 200) to kill me, who, subsequent to which, and as I believe by such directions, did knock me down and strike me with forks and stones, and would have accomplished their object but for a respectable man who protected me, by desiring them to desist or he would inform on them every one, and have reason to believe he knows numbers of them, but fears to give the necessary information. Lord Enniskillen, in whose neighbourhood this affair occurred, came very promptly forward, but too late for anything effectual to be done. I write this hurried account, as I conceive it my duty, on such an important affair to the general peace of the country, and for the information of his Majesty's government, and to assure them that unless with a very strong force, and perhaps the loss of lives, the laws cannot be carried into effect in that part of this county, and against which I am sorry to say I have many processes to execute.—I am, &c.

(Signed) "J. R. MAYNE.

"Under-sheriff for county of Fermanagh."

In reply to this statement a letter prepared by Chief Baron Joy was sent as follows:—

"The new constables are to be employed in arresting any of the persons who can be sworn to have been guilty of the attack on the Sheriff. As to assisting the Sheriff to execute civil process, they are not to be called on except as part of the *posse comitatus*, from which service they are not exempt.

"January 24, 1825."

It was all very well to talk of their being called out as part of the *posse comitatus;* but was ever a case heard of in which a party was attached for refusing to serve under such circumstances? He might be indicted and punished on conviction, but he could not be attached. From the period at which the police force was formed, the Government, acting under the advice of Chief Baron Joy, were of opinion that the constabulary force ought not to be used in this way. In the year 1826, the Magistrates again insisted that they would compel the constables to execute their warrants, and a constable who refused to execute one of these warrants was fined 5*l.* for contempt. The Government was applied to on the subject by Major D'Arcy, the Inspector-general, who represented this as a proceeding on the part of the Magistrates to force the constables to act contrary to the rules settled by the law-officers of the Crown, and Mr. Goulburn wrote the following letter, directing the remission of this fine:—

"Dublin Castle, Oct. 30, 1826.

"SIR—I have received your letter of the 19th instant relative to the fine of 5*l.* imposed on chief constable Giveen for not executing a warrant issued under the order of the Magistrates assembled at Downpatrick sessions. And upon consideration of the circumstances, I am directed by the Lord-Lieutenant to acquaint you that his Excellency has been pleased to remit the fine, and desires that the amount shall not be stopped from Mr. Giveen.

"I am, etc.

(Signed) "HENRY GOULBURN.

"Major D'Arcy, Belfast."

Now, whether that order were right or wrong, they were not here to discuss; but it was rather unfair to accuse other persons of setting up themselves against the laws of the land, because in conformity with the first law authority in the land they had advised that the constables were not bound to assist in the execution of this process. He could, if necessary, refer to many other cases in which the aid of the police had been refused, under the advice of him who now said that it was a contempt of the Court to give such advice, and would again say, and challenge contradiction, that until the Court of Exchequer made the decision in question, there was not in England or Ireland to be found any authority in support of the doctrine now contended for. If that doctrine should be upheld, every soldier in his Majesty's service, no matter how employed, must, on the summons of a commission of rebellion, disobey his officer's orders, neglect all his other duties, and march off whenever the high functionary, the Commissioner of rebellion, required to arrest any body who may be pointed out; he might say that he was subject to certain rules fixed by his Majesty or his representative, and would be dismissed if he violated them. That would not avail him. The high dignity of the Court would be offended if he did not obey, and an attachment would be at least awarded against him. If he did obey what was he to do? To break open any house, to search for and seize the rebel even on a Sunday; and all this under the command of a bailiff. Was that, he would ask, a state of things to be endured? He thought it right to notice one or two remarks which had fallen from the learned Sergeant in reference to proceedings in the Court of Exchequer. He thought it mattered little whether the bills were filed by the Lay Association or not (upon the legality of which he thought the learned Sergeant had not given a sound opinion); it mattered little whether the number of bills so filed were filed as the hon. and learned Member for Tipperary (Mr. Sheil) had stated—by the Lay Association or by their solicitor, be he who he might, or by persons acting under him. Whether in the whole 617 bills there were six attorneys or more, mattered not. In most instances they were filed for sums under 2*l.*; in many cases defendants were sued for sums so small as 2*s.* to 3*s.*, where the costs with a decree, obtained without defence, would amount to upwards of 90*l.* This fact he stated from a return in his hand. In two suits for tithes the amount sought to be recovered in one was 19*l.* 5*s* 11*d.*, the costs were 93*l.* 6*s.*—in the other case the sum to be recovered was 20*l.* 18*s.*, and the costs came to 94*l.* 4*s.* The amount for which these 600 bills were filed was a little less than 20,000*l.*, and the expense could not be less than 100,000*l.*, if the parties proceeded to a decree in all. Now, in his conscience, he did not believe that those rev. gentlemen who were entitled to these tithes were cognizant of the proceedings which were taken in reference to them; 20,000*l.* was the outside of what was sought to be recovered by these bills. In the Assistant Barristers' Courts in Ireland, in which a great deal of business was done, and which had worked well for the country, any sum under 20*l.* was recoverable by a civil bill. The whole of this money could have been recovered by the Civil Bill Court, and execution served by the Sheriff, who would have the free command of the police; his warrant could go against the person of the debtor or his goods, and the Government had intimated that the aid of the police would be given to effect the service of civil bill process, because the parties could not obtain in the Civil Bill Court, though they could in any of the superior Courts, the aid of the Sheriff in the service of process. Far be it from him to throw blame on the clergy; but between the 1st of August last and 1st of February, 600 bills had been filed in the Exchequer, and in most cases for sums not more than 20*l.* or 30*l.* In fifteen cases out of twenty the claims were under 5*l.* or 6*l.* He would say if the constables had erred, the head of the Court of Exchequer had erred. If the police had erred, they had done so in consequence of the rule of the Lord Chief Baron himself. That Judge was reported to have made some declaration respecting Major Miller, and to have said, that if Major Miller shifted the responsibility on others, the Court would deal with them, and mark at last the original adviser; he hoped the learned Baron would adhere to that rule, and acting with that judicial firmness and integrity for which he has been so justly praised, award an attachment against himself.

Mr. *Shaw* said, he felt ashamed at seeing the right hon. the Attorney-General for Ireland coming forward to impugn not only the King's Judges in Ireland generally, but in particular the King's Chief Baron of the Court of Exchequer in Ireland. There might, however, be some excuse for the right hon. and learned Gentleman, for in attacking these distinguished personages he was probably defending himself. It was remarkable, as his hon. and learned Friend the Member for Bandon had observed, that the hon. and learned Member for Tipperary said, he should not adduce that part of his motion, on which he principally relied, without further notice—and yet the hon. Member had broken his faith, and endeavoured to take them by surprise. The right hon. the Attorney-General then followed up the attack, armed at all points. He should not further remark on this singular concurrence between the two hon. and learned Gentlemen. As to the point which adverted to the inconsistency of the Chief Baron of the Irish Exchequer in pronouncing a decision contrary to his previous opinion as the Legal Adviser of the Crown, he supposed that such was not the fact—nay, he could prove it; but even if it were such, why should not that Judge have the firmness to act against any opinion of former times which his more mature judgment perceived to have been given without due deliberation? It was, to use a gentle phrase, a pure fiction to say that an attachment had been issued against a gentleman, at a distance from the scene of action of eighty miles, because he did not come forward to aid the clerical attorney. It certainly was true that the writs from the Exchequer Courts had been levied on the most respectable and solvent parties, because they were unwilling to incur useless costs against insolvent defendants, and also from a motive of humanity, they wished to save the misled individuals from suffering for the wickedness of others. The right hon. Gentleman said, the writ was never a civil process. He was not anxious to put his legal knowledge in competition with that of the right hon. Gentleman, but he defied any one to deny that, in those cases wherein it was issued, the circumstance did not bring it within the original meaning of the Act. It was a writ of the most comprehensive nature, issuing from the King himself, not only to the Sheriff of the county, but to all officers and persons within the realm, and attaching the body of the defendant, not in a civil case, but as a rebel, and for contemning the law—and also authorising the officer to execute it even on a Sunday, and to break open doors. In fact, all peace officers and other persons, unless able to show special exemption, were bound to assist the Commissioners in executing a writ of rebellion. He could not censure the right hon. Gentleman for making use of the papers of his predecessor in office, although he endeavoured to throw odium upon him. He only hoped he had not misunderstood them. [*Cheers from the Ministerial benches, in which Mr. Sheil joined.*] He was glad to see the hon. and learned Member for Tipperary was himself again after the castigation he had received from his Friend, the Member for Bandon. But it was most unfair to bring forward those documents without giving notice to him, (Mr. Shaw) or any other person in the habit of communicating with the distinguished Judges impugned. He hoped the time would never come when the Judges in Ireland would be afraid to do their duty. He apprehended that the period was approaching when they would be called upon to assert the independence of British Judges; and he had not the slightest doubt but that they would act uprightly, and discharge their functions intrepidly, notwithstanding the threats of the hon. and learned Member for Dublin, supported and connived at by his Majesty's Government, when they themselves had not the manliness to come forward. Another insult on the judicial character in Ireland, was the appointment of Sheriffs without consulting the Judges, a thing that had not been done for a period of upwards of twenty years. He should not have found fault with the Government for not appointing the names selected by the Judges, but at least those personages should have received the usual courtesy of being allowed to nominate in the first instance. In several other cases the verdicts of the Jury had been set aside, and malefactors liberated from incarceration, without asking the opinion of the Judges. Still he was sure the Judges would be firm in upholding the dignity of their station, and firmly discharging their duties, notwithstanding the weight of power and rank opposed to them. But he must add one word in reference to the Lay Association, and that was to protest against the statement made by the right hon. the Attorney-General for Ireland. The Lay Association had never sent about copies of bills about to issue from the Court of Exchequer—they never employed a solicitor but for the purpose of selecting the best cases, in which, if the parties acting under their advice were unsuccessful, they were to reimburse them. And so prudently and cautiously had they proceeded under the direction of the solicitor, that his hon. and learned Friend, the Member for Bandon, had overstated when he estimated the number of bills issued from the Court of Exchequer at between fifty and sixty. The Lay Association never urged a party nor instituted a case themselves. They always required the clergy to have and consult with counsel of their own before they would give any assistance; but they never commenced any proceedings. If the legal conduct of any person connected with the Lay Association was impugned, he stood forward in that House ready to meet the accusation. Notwithstanding rebukes from the Government or hon. Members in that House, or parties in any other quarter, the Lay Association would never flinch from the duties it had undertaken. He little thought the time would come, as it now seemed to approach, when an attempt would be made to oppose the Protestant gentry of Ireland for coming forward to support the clergy of their own religion in recovering their just rights, after a conspiracy of five years against the law, which, if not openly encouraged, was at least connived at by the Members of the present Administration.

The *Chancellor of the Exchequer* said, that the right hon. Gentleman had called on his Majesty's Government to give an opinion, and he, as a Member of that Government, would declare a distinct and decided opinion for himself, and he believed he might add for his colleagues. It would then be for the House and the country to decide between them and the right hon. Gentleman. But first he begged, in the name of his right hon. Friend, (Mr. O'Loughlin) to repel the insinuation of having acted with disingenuousness, or of having, on the present occasion, done anything beyond vindicating his own conduct and the acts of the Government to which he belonged, in a Parliamentary and constitutional manner. It had been said, that some finesse had been exhibited in the alteration of the motion. All he could say was, that till the hon. and learned Gentleman closed his speech, he and those around him were totally unprepared for any change; they knew nothing about it; and what right, then, had Gentlemen opposite, before the Commons of England, to accuse them of acting basely and disingenuously? The right hon. Gentleman was, however, right in one respect, in saying that his learned Friend had come down armed at all points; his weapons had been felt—they had inflicted wounds which would not soon be forgotten. Had they not done so, would the right hon. Gentleman have led them astray, in a wild goose chase, on matters not relating to the question before them? Would he have endeavoured by invective to induce the House to believe that the Government had been acting on the principle of defeating and overthrowing the authority of the King's Judges in the King's Court? Would he have alluded to the Judges' nomination of the Sheriffs, or would he have dragged in the case of Reynolds? When the time came for discussing that Question, he (the Chancellor of the Exchequer) was ready to take upon him before the House, and before Ireland, the defence of the Government—not defence, but he would say, the credit and the responsibility. If the right hon. Gentleman opposite were really determined to grapple with facts—if he had documents and authorities to support him—why, to take a term from the sporting world—why by a "false drag" take us off from the real scent, and seduce us from the consideration of the real question? The right hon. Gentleman says, it is a new sight to see the Attorney-General for Ireland impugning the judgment and integrity of the King's Judges in Ireland. He denied that his right hon. and learned Friend had done so. His right hon. and learned Friend had done merely that which was his bounden duty. He was called upon by the other side to give his opinion upon the motion arising out of the notice of the hon. and learned Member for Tipperary; and, having been thus called on, he would have been unworthy of the place of trust and confidence which he now fills if he had not answered it fully and fairly. As to the Judges of the land, not they alone, but the King's Government was upon its trial. With regard to the question of tithes, for months past, in every paper, and in every speech of one particular party, Ministers were described as being unwilling to afford, or, rather, determined to withhold, the protection which it was their duty to afford not only to that but to every species of property. The right hon. Gentleman, by his not merely insinuation, but by his direct attack, censured the conduct of Government. Was Government, he would ask, to lie under these imputations? When challenged, were not they called on to meet these accusations? The authorities that were stated, and various Acts which the Chief Baron was instrumental in introducing, proved that the police functionaries alluded to did no more than they were authorised by the law of the land, and the usages regulating the conduct of all the officers of Government. The hon. Gentleman opposite had used a private letter to carry his point. He acknowledged the talents of the hon. Member, but he did not think that the confidence and security of private life should be abused to carry a political end. Why should a private letter, written in perhaps an unguarded moment, be used as an instrument against a political adversary? He would quote from a document that the hon. Gentleman opposite would not, he was sure, object to—an extract in support of his proposition and the doctrine of the Attorney-General for Ireland—he meant a letter from Mr. Gregory to the Sheriff of Limerick. The letter stated that, except in case of breaches of the peace, the police were not to be used. The fact was, that the police were not to be employed except in cases of extreme emergency to keep the King's peace. He would ask the gallant General opposite whether he knew of any such case of prohibition issued by the Irish Government? Did he recollect of any such instance?

Sir *Henry Hardinge* said, that he did not recollect such a case; no such one was brought under his notice. There might be papers in the office relating to it which he did not recollect.

The *Chancellor of the Exchequer* did not like to use private letters; it was very improper to make public charges out of them. He was a Member of a Committee to frame a law, and was partly the author of a law that prevented any officer from being employed by Magistrates for enforcing the collection of revenue, or the collection of tithes. The police were not intended to be made the agents for such purposes; their duty was to prevent any infraction of the peace, to suppress crime, and to enforce the law. Did the hon. Gentleman mean to say that if a writ of rebellion were to issue from that House that the Speaker was to be called on to enforce it? A writ of rebellion was applied to a civil process, it was not meant to extend to criminal cases. This argument of a writ of rebellion, and the inferences attempted to be drawn from it, only misled the House, and drew off its attention from the true consideration of the question. A person against whom a writ of rebellion issued could be discharged under the Insolvent Act. [Mr. *Wynn*: there is a special exemption.] Then let the right hon. Gentleman say what is rebellion, and to what case the writ applies. If the right hon. Gentleman doubted his interpretation, though this was a point to be discussed hereafter, let the right hon. Gentleman introduce some measure that would make the matter clear and intelligible. It was not right on the part of the right hon. Gentleman, or of the Bench, to say that the constabulary must be employed to enforce the mandate of every Court of law, and yield to every authority that calls on them, and show that the Government were by the lawful and just disobedience of the police officers, instrumental in the resistance to tithes? The right hon. Gentleman had spoken of the danger of destroying confidence in the administration of justice. He felt fully that danger; but he would say that while the public owed much to the bench, the bench owed something to the constituted authorities of the realm; and, in his opinion the course which had been pursued of holding out to the people of this country that there existed a conspiracy abetted by the Government—an organised conspiracy extending down to the very constabulary, for the purpose of defeating the administration of the law, and destroying the ties which bound society together, was much more dangerous than any observations which could be made in that House. He thanked his right hon. Friend (Mr. Sergeant O'Loghlin) for his able defence of the conduct of Government; and he assured the House that if the Government had not been challenged by the right hon. Gentleman (Mr. Shaw), and if he had not been called on, he would not have offered a single observation on the question before the House. That challenge he accepted, and in defiance of it, expressed not merely his own opinion but that of his colleagues.

Mr. Sergeant *Jackson* explained that he violated no confidence in reading the extract from the letter alluded to; he found it on the file of the Court.

Viscount *Morpeth* said, he would trespass on the indulgence of the House for a few moments. There were two reasons why he did not speak before; the first was that the question involved so many legal niceties and subtleties, that could be better handled by experienced lawyers, and the elucidation of which he could safely leave in the hands of his right hon. Friend the Attorney-General for Ireland. The second was, that as reference was made to his own conduct he wished to defer any observations of his till the result of the decisions of the Court of Exchequer were known. He should rejoice at the degree of impunity which he enjoyed still, for he was not unfrequently told that from the case of Knox *v.* Gavin that impunity he would not enjoy long; that an attachment would issue against him as the chief agent. The House were aware that an attachment had issued against chief constables Miller and Malone. But they had only acted on his instructions, the warrant for their guidance was signed by him. He would say—

> "Me—me adsum qui feci—In me convertite ferrum."

He would avow himself the author of the instructions on which they acted, and he would defy the enmity or assaults of his accusers, which were worse than the Rutilian spear. He would not lead the House into the hallucinations of the Chief Baron when he was Solicitor-General for he was not deserted by other, and as good, authority. The hon. Member opposite had recourse to private papers, and he (Lord Morpeth), too, had some private papers to produce, and without any breach of confidence. He would refer to the first Commission of rebellion that was issued in modern times. It was addressed to Mr. Ogle, Sheriff of Meath, against Clarke.—and was as follows —

"William the 4th, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, defender of the faith and so forth, to Thomas Williams, Henry Ogle, John Sheridan, greeting, because, by public proclamation, by the Sheriff of the county of Meath, in divers places of the said county, by virtue of our writ to him directed, it was commanded that Hugh Clarke, on the peril of his allegiance, to appear before the Barons of our Exchequer at the King's courts in Dublin, at a certain day passed; yet he has manifestly contemned our commands therein, therefore we command you, that you omit not, by reason of any liberty, but to enter the same, and attach the said Hugh Clarke, wheresoever he shall be found within our kingdom of Ireland, as rebel and contemner of our laws, so that you or any of you have his body before the Barons of the Exchequer, at the King's Courts, Dublin, on Monday the 13th day of April next coming, to answer those things which then and there shall be objected against him, and further to do and receive herein what our said court shall order; we also command that all and singular our sheriffs, mayors, bailiffs and all our officers and liege subjects whatsoever, firmly enjoining them that to you and each of you in the execution hereof, they be aiding and assisting. In testimony whereof, we have caused these our letters to be made patent.

"Witness, Henry Joy, Esq., Chief Baron, Jan. 15 1835. J. Farron.

"R.W. Osborne, attorney."

The next was a copy of a letter from the Magistrates in Petty sessions, county Meath, to Sir Wm. Gosset, dated 23rd March, 1835. viz.—

"Navan Petty Sessions, March 23, 1835.

"Sir—We have been this day applied to in Sessions to direct the Police to assist in the execution of a writ, the copy of which we inclose; not being certain of our jurisdiction in the matter, we are anxious to be directed as to the course we should pursue.

"We have, &c.,

(Signed) "P. P. Metge, J.P.

"R.P.O. Hamilton, J.P."

"Lieut.-Colonel Sir Wm. Gosset."

He had some difficulty in reading the reply, because it proceeded from a gentleman who, although he (Lord Morpeth) could not say that he was not present, was nevertheless not in a situation to answer for himself. It was as follows;—

"Dublin Castle, 26th March, 1835.

"Gentlemen—I have received and laid before the Lord-lieutenant your letter of the 23rd instant, inclosing the copy of a writ, in the execution of which you have been applied to in sessions to direct the police to assist, and requesting to be instructed as to the course you should pursue, not being certain of your jurisdiction in the matter. In reply, I am to acquaint you that the law adviser does not think that the police should be employed to execute process of this nature, nor have you any jurisdiction to direct them to do so. If their interference be necessary to preserve he public peace, a proper case must be made out by affidavits.

"I have, &c. (Signed)

"W. Gosset.

"The Magistrates at Petit Sessions, Navan."

Now that answer was not by the authority o Lord Mulgrave, but Lord Haddington —not from the "O'Mulgrave"—the Radical Lord, but the true Protestant and Conservative Lord-lieutenant. Into what error or criminality, then, could he (Lord Morpeth) be led by following the advice of Mr. Baron Joy, or the example of Lord Haddington?

Mr. *Scarlett* said, the law of the case was clear that the Court of Exchequer was right. It was the general opinion of the whole legal profession that an act of rebellion was both of a civil and a criminal nature; and that the Court was authorised to enforce its authority respecting it even in a case of costs. He could not repress the expression of his utter surprise that the King's Attorney-General could be found in Parliament attacking the Judges of the land. Was it already come to this, that the authority of the Courts of Law was to be set at nought, and the Judges vilified, and vilified, too, for not the most honourable of purposes—for party purposes? He thought that the Irish Government was bound to attend to the opinion of the Judges, instead of thwarting and deriding it.

Mr. *Sheil*, in reply, said, that he owed it in the first place to himself to state such facts as would at once relieve him from the imputation of having unexpectedly, and contrary to a previous intimation given by him, moved, in addition to what appeared on the face of the paper, for a return of the amount of bills filed since August last, for the recovery of tithes. He Mr. (Sheil) had, on a former occasion, moved without notice, for a return of the number of such bills, and also moved for the names of the attorneys by whom they had been filed. On that occasion the Recorder of the City of Dublin objected to the Motion, because the names of attorneys ought not, as he alleged, to be included. He (Mr. Sheil) then withdrew his Motion, and gave notice of it. He afterwards allowed it to drop, in consequence of the pressure of other business which preceded it, and told the learned Sergeant opposite, and the Member for the University of Dublin, that he should not move it in their absence. Accordingly, in their presence, he had added the Motion of which a notice had been originally given, and he left out the names of the attorneys, because their production had been at first objected to. Nothing could be more remote from his intention than to take the Gentlemen opposite by surprise, and it was obvious that taken by surprise they had not been. The learned Sergeant (the Member for Bandon) had come with at least the materials of a speech, and with a private letter of his in his pocket. The learned Sergeant who complained that he had not had notice, never gave him notice of his purpose to use that letter. He had a few moments before the debate met the learned Sergeant above stairs, who had entered into conversation with him, and had asked him where he (Mr. Sheil) could procure a copy of the printed Report of the Case of "Knox *v.* Gavin; and yet the learned Sergeant, having his private letter in his pocket, never told him that he meant to avail himself of it in the debate. It was idle for the learned Sergeant to suggest that the letter was not private, because it had been referred to in a bill filed against him (Mr. Sheil). By whom was that bill signed? Let the House mark the fact: the bill adverting to his letter, was signed by the learned Sergeant himself. So that the learned Sergeant first had his letter laid before him in his study, refers to it in his professional capacity in a pleading, and then, having thus divested it of its character of privacy, reads a part only of the letter in his Parliamentary capacity, and declines, when called on, to read the rest. This was scarcely fair dealing on the part of the learned Sergeant. That letter had indeed been made use of, very much to his (Mr. Sheil's) surprise in a Bill filed against him, and the *Evening Mail* had copied an extract from it, apologising, however, for doing so, and stating that the letter was on the files of the Court of Exchequer, and, therefore, was no longer private. But here (said Mr. Sheil) is the copy of the letter produced by the learned Sergeant, and handed to me; and on the outside of it—what appears? It appears to be inclosed to the learned Sergeant from Dublin; and the post-mark is upon it, so that the learned Sergeant, who had no notice of this motion, gets my letter from Dublin, keeps it in his pocket, never mentions it in private conversation with me, and then employs it in the House. But look at the endorsement. It is marked outside "Lay Association." So that the letter was delivered to the "Lay Association," and employed by them in sueing me, and comes from the archives of the society for the purposes of this debate. On the outside these further words are endorsed, "Sheil's letter;" and the name of "Orpen" is added underneath. Mr. Orpen is the Solicitor to the Lay Association, and I never stated that Mr. Smith acted in that official capacity; but I do believe that Mr. Smith, under the superintendence, and with the co-operation of the society, has filed a great number of bills. I do not blame him for so doing; I acquit him of every charge; and only refer to the number of bills filed, as evidence of the frightful scenes of litigation which have been got up in connection with political contests in Ireland. As to my letter, I will, without hesitation, read the whole of it to the House; and, indeed, as an extract has been employed, the House owe it to common justice, that the whole should be read. It is addressed to the rev. Mr. Thompson, the clergyman of the parish in Tipperary, where I reside, and I cannot help saying, that I did not think it necessary to mark "private, and confidential" as an inducement to him not to furnish it for such purposes as those to which it has been applied. But let the House judge, without any comment from me, how far the rules which regulate private intercourse, have been observed. The letter is in these words:—

"To the Rev. Mr. Thompson.

"Long Orchard, Oct. 12, 1835.

"MY DEAR SIR—It is perfectly true that I wrote to you that in the event of the Government expressing a determination to abide by Lord Stanley's measure, I could not complain if you adopted proceedings against me.

"The Bill proposed last session has been rejected by the Lords, but that some such adjustment of the unfortunate tithe question will be brought forward at the commencement of next session (whatever party be in power) seems obvious The Government have not intimated any intention to retain Lord Stanley's plan; a great change is inevitable. Under these circumstances, I submit to your consideration whether the delay of a few months on the part of the clergy be not more advisable than the immediate exercise of their existing legal right to tithes. I am not insensible to the hardship of their condition produced by the contentions of the great rival parties in the State; but, on the other hand, by what possible means can those who pay tithes at this juncture succeed in recovering them from their own tenants?

"Parliament must meet early in February, and the question must then be settled; no legal proceedings could be effectual before that period. It will be for you to decide how far it will be advisable to involve yourself and me in litigation injurious to both of us, when the settlement of all demands by the Legislature is so close at hand.

"At the same time I think it but justice to add, that in the event of your proceeding against me, I shall not regard such a step upon your part as a severe or unjustifiable one; although being myself unable to collect tithes, and being placed in peculiar political circumstances, I indulge in the hope that you will not consider it unreasonable that I should have recourse to such expedients of procrastination as the law supplies.

"You must be aware that as Member for the county of Tipperary, I must elect between the payment of tithes and the loss of my seat; perhaps this consideration may induce you to delay for some months longer.

"I really do not know to what extent I am liable to your demands: most of the leases were executed before Lord Stanley's Act; and ——— property, in your parish, has been so subdivided, that to determine who are, and who are not liable, would be a task of some difficulty.

"Whatever course you adopt, I trust that no interruption will take place in the kindly feeling that ought to exist between neighbours, and that our legal differences will not be embittered by any personal animosity.

"Your's, very truly,
"R. L. Sheil."

Sir, I own every sentiment in this letter not meant for the public eye—the effusion of sincerity, and the result of no unkindly feeling. It is free, I hope, of all political and sectarian animosity, and exempt from that bitterness which, when our moments of public contention are past, ought surely, in private life, to be laid aside. I do not want to deprive Mr. Thompson of his tithes; I only requested him to delay his proceedings for a few months, and I do this with the courtesy that becomes me in addressing myself to a gentleman, for whose privations I felt the sympathy which I expressed. All that is stated in that letter is true, and nothing more true than that the clergy are made the victims of the rival parties in the State; their nominal auxiliaries have proved their most formidable foes. But, indeed, indeed, the learned Sergeant, with whom I am upon terms of familiar professional communication, ought not to have used this letter. I shall say no more of it. I have been informed by the Recorder for Dublin that the learned Sergeant has given me a severe castigation. If so, I shall bear it with a just philosophy; but I must say, that the castigation consisted principally in giving a flat denial, which I thought that the learned Sergeant had a vocabulary sufficiently rich to convey in some more skilful periphrase than such words as "utterly unfounded," and the rest of those very polished sarcasms to which the learned Sergeant had recourse. But I turn to the learned Recorder himself. He defends, and most appropriately, the purity of the Bench. I did not attack its integrity; I said that, under the influence of strong feelings, men the most conscientious might be hurried into a mistake. I acquitted all parties, judges, solicitors, attorneys, of all moral blame. But it is delightful to listen to the learned Recorder's vindication of his brother Judges. He is himself so immaculate, so free from all factious emotion, so much above all partisanship, that he cannot even conceive how a Judge can be an agitator; how a man filling that high and sacred station can descend to the excitement of popular passions, enlist himself with a party, and be placed by a faction at its head. The learned Recorder, as I have thus conferred on him the meed of my respectful panegyric, will, I hope, pardon me if I presume to suggest to him that it would have been as well if his own name had not appeared as a member of the Lay Association for levying tithes. What! a Judge before whom a tithe case may be tried in which the Lay Association might institute the proceedings. [Mr. *Shaw;* No tithe case can come before me.] The Recorder is surely mistaken. He is imperfectly acquainted with the extent of his jurisdiction, although he has so lively a sense of his moral judicial duties. He can try a civil bill for tithes, and I challenge him to deny it. It is therefore most unfortunate that his name, his right honourable and judicial name, should appear the second on the Committee of the Lay Association, instituted in order to carry on the most formidable proceedings in our courts of justice, and constituting what there is reason to think a most illegal, as well as a most oppressive confederation. I have been in the course of this night contradicted on many points, but on this remarkable circumstance I have not been encountered with a negative. I stated that the Lay Association set forth in its advertisement in *The Standard* newspaper the names of its trustees, and the names of the trustees I read:—"Lords Roden, Enniskillen, Bandon, Lorton, Farnham." Has the leading and principal post taken by these noblemen been denied? Who are they?—Orangemen. And will it be said that to every member of the Society the old proverbial saying, *noscitur à sociis*, does not apply? Will it be said that between the Orange Society and the Lay Association there is no communion and no sympathy? The Orangemen are generally frank, direct, and candid. To the Orange Society I am disposed to apply Arbuthnot's epitaph (I wish one could apply to them an epitaph) on Chartres: it has "every vice except hypocrisy;" but the Lay Association cannot claim this exemption, and pay what Rochefoucault calls the unconscious homage that vice pays to virtue.

Return ordered.

HOUSE OF LORDS,

Friday, February 19, 1836.

MINUTES.] Petitions presented. By Lord BRAYBROOKE, from the Chelmsford Agricultural Society, praying Relief.—By Lord WYNFORD, from Owners and Occupiers of Land in Northampton, to the same effect.

CARLIST PRISONERS AT CORUNNA.] The Marquess of *Londonderry* rose to submit a Motion to the House for an Address to the Crown. He felt it necessary to call the attention of the noble Viscount at the head of his Majesty's Government to the circumstances which induced him still to press for the production of the papers; and he could not help thinking, notwithstanding what the noble Viscount had asserted to the contrary, that those twenty-seven Spanish prisoners had been taken in violation of all the principles of national warfare. Upon that subject the noble Viscount had contradicted him; but it was not for him to enlarge upon the topic of what the law of nations was, but this he must be permitted to state, that according to one of the highest legal authorities in the country, the conduct of the individual commanding the English steam vessel the Royal Tar, in taking those Spaniards prisoners, could not be justified, and indeed it was an act of piracy. Their Lordships might, perhaps, do him the favour to recollect, that on his pressing those questions, which he did last July, he had reason to believe, that certain communications were made on the part of his Majesty's Government to the Spanish Government, for the liberation of those prisoners. He considered himself perfectly justified in seeking to obtain the information for which he was about to move, especially as he believed, in consequence of the House having urged last Session that measures ought to be taken to procure the release of the twenty-seven prisoners, or rather he ought to have called them passengers on board a vessel, for they were nothing more.—He was fully persuaded if there were any *bonâ fide* intention on the part of Ministers to press for the release or exchange of those prisoners, the Government of the Queen of Spain must listen to the application; and Ministers might accomplish much also towards mitigating those horrible atrocities and barbarities which so disgraced the present system of warfare in that country. Under the quadripartite treaty his Majesty's Government might withhold supplies, and thus produce a favourable effect on the Queen's Government, by requiring an abandonment, or softening down of the atrocities and cruelties to which he had alluded. It was the more necessary now, because the state of the parties engaged in the war had changed, for there were at the present moment 10,000 or 12,000 British subjects in that country, and the species of barbarity and atrocity which they witnessed, must have a demoralising effect upon their minds; it therefore behoved Ministers to interfere, for when these men returned to England, their conduct would be influenced by such frightful scenes. He did hope, therefore, that Government would adopt some steps to put an end to such a species of warfare, and press the necessity of doing so upon the Government of the Queen of Spain. If justice did not call upon them to interfere, humanity did. The noble Marquess then concluded with moving, "That a humble address be presented to his Majesty, praying that his Majesty would be pleased to direct that there be laid before this House a copy of the letter despatched by his Majesty's principal Secretary of State for Foreign Affairs, in or about the month of September last, to the Spanish Government, interceding for the liberation or exchange of the twenty-seven passengers taken on board the Isabella Anne, in the month of February, 1835, together with the answer to the same."

Viscount *Melbourne* had no objection to the production of the papers particularized in the motion; and when those papers were produced, it would be for the noble Marquess to judge whether or not he should found any further motion upon the subject.

Motion agreed to.

HOUSE OF COMMONS,

Friday, February 19, 1836.

Minutes.] Bill. Read a second time:—Turnpike Trusts Consolidation.

Petitions presented. By Mr. Hume, from Nottingham, Shepton Mallet, and Norwich, in Support of Mr. Buckingham's Claims.—By Colonel Thompson, from Hull; and by Mr. Parker, from Sheffield, with the same Prayer.—By Mr. Hume, from Ringwall, Norfolk, for the Repeal of the Stamp Duty on Newspapers.

Lord Sidmouth.] The *Chancellor of the Exchequer* said, he had to move for a Treasury minute. A pension of 3,000*l.* a-year had been granted to Lord Sidmouth by his Majesty George 3rd. His noble Friend at the head of the Government had lately received a letter from Lord Sidmouth, in which the noble Lord requested that his noble Friend would lay before his Majesty his resignation of that pension. Every man must acknowledge that the noble Lord had acted in a manner highly honourable to him. He (the Chancellor of the Exchequer) now moved for a copy of the Treasury minute for carrying this offer into effect.

Mr. *Hume* said, that this information was very satisfactory. He hoped the example would have imitators. While on this subject, he must express the high respect which he had always felt for a noble Lord (the Marquis of Camden) who had given up that which would have produced, by this time, above 250,000*l.* of the public money. Instead, however, of receiving the credit which was due to so disinterested an act, it had been said that he had set a bad example.

Motion agreed to.

New Houses of Parliament.] Mr. *Hall* said, that in justice to the architects, he must submit to the House the Motion of which he had given notice. It was, that previous to any of the plans for the two Houses of Parliament being laid before the Committee appointed to consider and report on the plans, the whole of the plans which may have been submitted to his Majesty's Commissioners should be exhibited to public view. Little time would be lost if the exhibition were to take place. Neither the Commissioners nor the successful candidates were averse to the exhibition. Why then should not his Majesty's Government gratify the public?

Mr. *Hawes* seconded the motion. The present request was in order that the public might obtain a building of the highest class. He was anxious, before any exhibition took place, that there should be an understanding that the whole of the plans were to be brought together.

The *Chancellor of the Exchequer* was ready to accede to the proposal that a place should be appointed for the public exhibition of the plans, but when the request was made to suspend the proceedings, he must say, that the exhibition was no act of the Government at all. He was not prepared to agree to suspend all proceedings until the exhibition had taken place.

Motion withdrawn.

Russian Policy.] Lord *Dudley Stuart* rose, pursuant to notice, to call the attention of the House to the effect on British interests of the policy pursued by Russia. He felt that he laboured under many disadvantages, arising not only from his own inadequacy to discharge the task, but also from the great difficulty of inducing hon. Members to turn their attention to our foreign policy as respected Russia. No question could be of greater importance than that now before the House. It affected all our most essential interests—it affected our national honour—it affected our naval supremacy—it affected our commercial interests—it affected our station, our influence in Europe, and the security of our possessions in India. There was one misapprehension against which he was anxious to guard. Some Gentlemen well knowing the warm interest, the enthusiasm, if any were pleased to call it so, which he took in the Polish nation, might imagine that, in making this motion on the subject of Russia, as Russia was the enemy of Poland, his object was merely to call attention to the Polish nation. He begged, therefore, to state distinctly in the outset that that was not his chief object. His object was greater and more extensive; and if he felt it necessary to make this explanation, it was not because he imagined there was any indifference in the House to the wrongs of Poland, but because some persons, considering that nothing was now to be done for that unhappy nation, might imagine that by lending their attention to any observations which he (Lord S.) might offer, they would be wasting their time, and attending to a subject in which nothing practical was to be done. He, therefore, earnestly entreated the House to forget the person who was addressing them, and to attend only to the facts—to view him on this occasion not as an advocate, but one who would call attention to British interests. This question was not Polish, or if it was in any degree, it was something more—it was Russian, Turkish, Indian, English, European.—We were accustomed to pay little, or but transient attention to that which we were in the habit of hearing frequently. Russia was often mentioned as being great, but let the House consider for a moment what Russia was. The Emperor of Russia ruled over an extent of territory in Europe greater than all the rest of Europe put together, and this was joined by a tract of country, by dominions in Asia, three times as great as the possessions of Russia in Europe. From the capital of Russia to the confines of the Russian territory, bordering on Persia, and from those confines to our Indian possessions the distance was the same. On the north Russia came within thirty miles of the west coast of Norway—a coast abounding with secure natural harbours, which were never frozen, and from the farthest of which to our own coast of Scotland, the distance was not greater than from Lisbon to London. The ground within seventy miles of Stockholm was Russian; Warsaw was hers—she approached within 100 miles of Dresden. She had crossed the Danube, and possessed Kalisch, which was nearer to Paris than to Moscow.—They would be able to judge of the true and formidable character of the power of Russia by a reference to its progressive advancement. Catherine in her time reigned over 22,000,000 of subjects; Alexander reigned over 36,000,000; and Nicholas at the present time ruled over 55,000,000 of people, not taking into the account his subjects in Asia. The Russian army at present amounted to 700,000 soldiers. Of the Russian navy he (Lord Dudley Stuart) did not exactly know the amount, but it consisted at least of sixty line-of-battle ships. What was the character of the population over which Russia ruled? It was a population completely devoted to the Sovereign who swayed the sceptre, whom they viewed and reverenced as the chief of their race and the head of their Church, and to whom they were bound by the triple tie of race, language, and fate. No property was held in Russia that was not subject to the disposition of the Autocrat. So supreme was his power that one stroke of his pen banished to distant countries any of his subjects, no matter what the rank, birth, or property of that subject might be. There was no career open to any man but one connected with the State. No matter what his riches, if he were not in the service of the State he was as nothing. The very clergy were known to wear military orders. That organization disposed them to look for acquisitions and aggrandizement. But one enthusiasm pervaded the entire population—that of advancing the pre-eminence of their country and its superior power over the rest of the world. The very climate encouraged that feeling. The population looked forward to attaining the luxuries and enjoyments denied them in their own country, but which they knew were to be procured elsewhere. The Government of Russia encouraged that feeling. All their policy and arrangements were directed with that view. The moment a soldier left the country on foreign service he received four times his ordinary pay. All these circumstances united made the desire of aggression and territorial acquisition natural and necessary to the Russian empire. A reference to history would show that aggrandizement was the entire object, and had been the successful aim of a country, which, not long since, was scarcely recognized as an important Power in Europe. Russia, to which the policy of other countries appeared now all submission, was, half a century ago, scarce accounted among the States of Europe. How, then, had she come to a station in which she appeared to hold in intimidation the rest of Europe? He would refer to the important acquisitions which Russia had progressively made. In 1671 she acquired the territory on which St. Petersburgh stood—namely, Ingria, with Esthonia and Livonia. In 1674, she acquired Little Tartary, and obtained the entire government of the Crimea. She made further acquisitions in 1725, and in 1792 took possession of Odessa. Let the House remark the great, though gradual, spirit of aggression and aggrandizement that marked her history from 1671 to 1792. Nor did she stop there. In 1793, she effected the second partition of Poland, and in 1795, she got possession of the remainder of Lithuania. The Emperor Paul took possession of Georgia, after having guaranteed the Throne to the reigning family. In 1809, Russia obtained Finland and part of Lapland. In 1812, she obtained Bessarabia, and in 1814, extorted from Persia all the provinces south of the Caucasus; year after year, thus Russia advanced. In 1815, her territories were extended in the North Sea, and in 1828, she pushed them beyond the Araxes. By the treaty of Adrianople in 1829, she obtained possession of the coast of the Black Sea, to the extent of 200 miles, although at the time of that treaty she declared she had no desire of extending her territorial acquisitions. In 1832, she destroyed the Constitution of the kingdom of Poland, and having, in the face of treaties, destroyed its nationality, reduced Poland to the condition of a Russian province. Her acquisitions did not end there; they came down to the present day. In 1834, she got an accession of territory in Asia, and obtained the command of the passage of the Dardanelles. These acquisitions were greater than those of any country in Europe except Russia herself. She acquired an uninterrupted territory to the Baltic—aye, beyond the Baltic, from the North Sea to the Euxine. Let them look to the different position Russia held now to what she held in 1815, when what was called the settlement of Europe was effected. In 1815, France ceded Italy, Belgium, and the boundary of the Rhine. England gave up Java, Pondicherry, and a large portion of the West Indies. What did Russia give up? Nothing—actually nothing. On the contrary she gained the acquisition of Poland. In addition to this, look at her present position. Was not Poland a complete province, and was not the ground completely laid for establishing the ascendancy of Russia in Germany? Moldavia and Wallachia were Russian in all but the name. Silistria was in the hands of Russia, and she was thus in possession of one of the strongest fortresses of Europe. The right bank of the Danube was abandoned by the Turks. Greece, dismembered from the Turkish empire, was subject to the influence of Russia. Egypt was but an agent of Russia, and the strength of Persia was so impaired that it was only preserved by the timely interposition of this country. If therefore they looked at the state of Russia now and in 1815, would any man say that the balance of power continued? No—it was destroyed. Let them not believe that Russia would rest satisfied with the encroachments she had made. Her whole designs were to increase her acquisitions, and to that end she would direct the power she already had in her hands. They saw that from her very climate, and the circumstances and character of her people, she was naturally disposed to seek aggrandizement. History told them, that the aggrandizement of her dominion she had at all times sought and would continue to seek. If to decide on the intentions of individuals, we only saw that the acquisition of certain things are of importance to them, we did not require particular proof to come to the conviction that they would look for, and if in their power, lay hold of them, unless, indeed, we knew them to be influenced by scrupulous considerations. But if we knew that the person was an unscrupulous person, then our conviction was complete, and all we had to inquire further was, whether there was any possibility of his accomplishing those designs about which we had no longer any doubt. Now, there were two narrow channels which commanded the whole of this most important and most powerful empire. Every creek, every river, every port on the coast had an arsenal in the dominion of Russia. These two channels were—on the north, the Sound; on the south, the Dardanelles, both of which had always been coveted by Russia. This her whole history demonstrated. If we wanted any further proof to convince us that Russia did desire, and would obtain, whenever she had the opportunity, those two passes, particularly the one of the Sound, we had only to turn to history, and observe what had been hitherto her conduct with regard to that great key of Constantinople—the Dardanelles. Peter the Great coveted it; Catherine laid claim to, and almost obtained it; while Alexander desired to obtain it from Napoleon, saying that it was the key of his house. He was ready to cede a large sovereignty in Europe—Italy, and to give undisputed possession of Albania, Bosnia, Egypt and Assyria to Napoleon, if he would only let him have the pass of the Dardanelles. But that great man's profound views taught him that this was not to be ceded to the demands or entreaties of Alexander. He saw the effects of consenting to those demands. It did not appear that he saw them all; but he saw enough to prevent him from assenting to those demands. He rejected them; he never could be brought to listen to them; and, on that occasion, Napoleon saved the Turkish empire. It might be said he saved Europe. He endangered Europe on other occasions by his own ambition it was true, but by that single refusal to put the Dardanelles into the power of Russia he saved Europe. Peter the Great, Catherine, and Alexander, all laid claims to that pass. Had Nicholas no wish to have it?—had he no intention of obtaining it?—Let the late war with Turkey—let the motives of that war, as explained lately to the world by the publication of the very secret despatch of Russia's most able diplomatist—let the conditions upon which that war was terminated—let the last treaty of St. Petersburgh—let the conference at Tœplitz declare. Now he believed that there could be no doubt that Russia did desire this important passage, and that she would acquire—that she would take—that she would seize it whenever she had an opportunity. We saw that the constitution of her people pushed her to it, that her interests required it—that was to say, supposing her aggrandisement to an enormous extent was her interest—and that nothing could contribute to it half so much as having that passage. We saw that all her sovereigns had attempted to get possession of it, and seeing all this, what had we to set against it? Her protestations, and nothing but her protestations! The protestations of Russia! Of what value were they? Who was there in that House that placed confidence in the protestations of Russia? If any one did, he begged to refer that hon. Member to some facts. He presumed that nothing could be better authority for facts than the Speech of his Majesty from the Throne. Now he begged hon. Gentlemen to go back a few years with him, and to consider this declaration from the Throne of England in July 1828, on the closing of the Session. In that Speech were these words: "His Majesty the Emperor of Russia has consented to wave the exercise in the Mediterranean Sea of any rights appertaining to his Majesty in the character of a belligerent power, and to recal certain instructions he has given to the commander of his naval forces in that Sea, directing hostile operations against the Ottoman empire." That was in July 1828. On September the 12th, 1828, the news arrived that the blockade of the Dardanelles was established. So that we came to this conclusion, that at the very time his Majesty was telling his assembled Parliament that Russia would not use her belligerent rights, in consequence of course of the assurances he had received from the Court of Russia—at that very time Russia had determined upon exercising those very belligerent rights which she had told us she had renounced. On February 5, 1829, his Majesty came down to Parliament and said, that he was obliged to confess that he had been deceived; that he had had false protestations addressed to him; and he told the House that his Imperial Majesty had considered it necessary to resume the exercise of his belligerent rights in the Mediterranean Sea, and had established a blockade of the Dardanelles. Those were examples of the faith of Russia; and we knew from them how much value to set upon her protestations. But without going back to particular instances of her perfidious conduct—her whole history was nothing but a tissue of perfidies. Without going back to her conduct to Poland in this last war, than which nothing could be more perfidious, professing to the Governments of Europe that her only object was to re-establish Poland under the conditions of the treaty of Vienna, and that was one means which she used for preventing the Powers of Europe from interfering with her; but putting aside that, putting aside many instances of her treacherous conduct in Sweden, he only asked the House to go back to her course of conduct with regard to the more immediate subject under the consideration of the House, with regard to Turkey. First, what did she do with regard to the Greek insurrection? She offered Turkey to put an end to it. This offer was declined. In April she signed a protocol, binding herself not to interfere in the affairs of Greece. In September she secured the acceptance by Turkey of a convention, in consequence of her declaration that she would not interfere with the affairs of

Greece. In July following she signed a treaty with Turkey, by which she renewed her engagement of the April preceding, and added to that treaty a power to enforce that engagement by force of arms, if necessary. In October, the battle of Navarino was fought, in which the Russian Admiral was engaged, and destroyed, in time of profound peace, the Ottoman fleet. Having succeeded in detaching France and England from their alliance with Turkey, by her advocacy of what she called the European cause, she declared war against Turkey. In that declaration of war, she said she would not avail herself of those advantages she might obtain for the purpose of enlarging her territory. That war proceeded, and was at length terminated by the treaty of Adrianople. He begged leave to read to the House some of the provisions of that treaty. He was obliged to read it from "The Quarterly Review," because, when he inquired for the treaty in the library of the House, which he of course expected to find, he was informed that unfortunately the volume of State Papers, which contained that treaty had been destroyed by fire on the burning of the two Houses of Parliament. The treaty was made in 1829. Russia got, by that treaty, the Delta, at the mouth of the Danube, which was the high road to central Europe. She got Anapa, the key of Circassia, both military and commercial. She got 200 miles of coast, and three military positions; moreover, two fortresses, one the chief place of a pachalic beyond Georgia. The separate act annexed to article 5, stipulated for the nomination by Russia of the hospodars for life; the abolition of the imposts in kind, which formed the principal source of revenue from the provinces; the expulsion from them of all Mussulmans; the demolition of the Turkish fortress, Giurgova; and the establishment of a quarantine, separating them from the Porte, and uniting them to Russia. There were many other advantages which Russia obtained by that treaty; but he had mentioned the principal ones that tended to increase her power. There was also an article inserted, stating, that if any one of those stipulations came to be infringed, without the Minister of Russia obtaining prompt and full satisfaction, the Sublime Porte should be responsible; and the Court of Russia would consider any such infringement of her rights as an act of hostility on the part of Turkey, and that she would have an immediate right to reprisals. Having obtained those advantages, Russia had the assurance to put forth a manifesto to the world, declaring that the Court of Russia had constantly remained a stranger to every desire of conquest, to every view of aggrandisement. After this, he did not think that any one would venture to contend that the protestations of Russia were worth considering. She had made solemn treaties, solemn asseverations, and solemn protestations; but the more solemn, and the more binding they were in words, the surer was it that they had been, or were to be, violated. Why, these protestations were no reasons for supposing that she did not wish to keep possession of the Dardanelles, and thereby render Turkey a mere province of her own. Let the House just consider what would be the consequence to this country, and to Europe, of Russia being in that situation. In the first place, if Russia came to Constantinople, she would make a large stride towards becoming a great naval power. At that instant she would have a fleet of 100 sail of men of war. This was an important consideration to England. But there were many more consequences which would result from Russia being in that situation, and if he hesitated in presenting them to the House, it was not because he had any difficulty in knowing what they were, but it was on account of the multitude of enormous consequences which rushed into one's mind at the contemplation of such an event. What would be its effect on our commerce? The effect would be enormous. He begged the attention of his right hon. Friend, the President of the Board of Trade, to that question. He was sorry to perceive that his right hon. Friend was not in his place upon this occasion. He must say, that he did consider it the duty of his right hon. Friend to have been present. But, perhaps, he might be in the House. [It was intimated to the noble Lord, that the right hon. Gentleman had been in the House.] His hon. Friend told him that the right hon. Gentleman was in the House just now; why did he go away? ["*Hear.*"] [An *hon. Member;* he is here.] If so he begged his right hon. Friend's attention to the subject. It was a subject worthy his consideration. No subject could possibly affect the duty of the President of the Board of Trade more than this question did. He laid that down broadly; and let not his right hon. Friend imagine, by pretending to consider the subject of no consequence or of small importance—he was happy to see his right hon. Friend return to his place—let him not imagine, because this question was brought forward by so humble an individual as himself, that the subject for that reason was of small importance, and one in which the whole commercial world did not feel a deep and important interest. The acquisition by Russia of the Dardanelles would have at once the effect of depriving us of the whole of our commerce with Turkey; at all events, it would have the effect of diminishing it and that in a very serious degree. Our trade with Turkey was of great importance. It was a very large trade, and it was a continually increasing trade. Our trade with Russia was a decreasing trade. He would ask his right hon. Friend if it was not true that our trade with Russia in all those articles most profitable to this country was diminishing? Let his right hon. Friend look to the Russian tariff. He had not got it, but some hon. Gentlemen had it in their possession. Did not Russia by that tariff prohibit every article of our manufactures; She admitted, it was true, some articles? but those were articles which were necessary to enable her own manufactures to rival us in the markets of Central Asia, at Constantinople and other places. Those were articles in which our trade was increasing with Russia, and those only. Russia was most inimical to us; while Turkey, on the contrary, admitted our productions with no duty, or with a nominal duty; and he thought his right hon. Friend, filling the high situation he did, would do well to consider the subject, and turn his attention to it with a view of adopting measures which might strengthen the alliance between England and that country, whose commercial arrangements were favourable to us, and not to permit the other country, who was hostile in her commercial arrangements, as well as in her political views and all her feelings, to derive advantages from us at our own expense. Then if Russia obtained possession of the Dardanelles, we should lose immediately all our great, important, and increasing trade with Turkey; we should lose also our trade through Turkey to Persia; and as Russia, if once she got possession of the Dardanelles, would have the mastery immediately of Persia, we should lose also another important branch of our commerce, which was our trade to Persia through the Persian Gulf. He believed it was well known that our trade there was increasing immensely. He had heard that many new factories had arisen in different parts of England, where a few years ago none existed; and he believed that the noble Lord, the Secretary for the Home Department, knew of some of them; because some had been erected in Devonshire. Factories had been established in that county for the manufacture of coarse goods, all of which were exported to the Persian Gulf, which employed a vast number of ships. Ships were now building on the coast of Devonshire, of a size which had never been seen there before, for the transport of these goods to the Persian Gulf. That trade we should lose also. He would enter into details showing the increase of our trade with Turkey, but he believed other hon. Gentlemen much more competent than himself, and better acquainted with this branch of our trade, would come forward and discuss it. But what would not be the effect, let him ask, upon the security of our Indian possessions? This was a great and important subject. He had heard with great satisfaction to-day of the election of a noble Lord who lately ruled over that empire, as the representative of the city of Glasgow. He knew not if the noble Lord was present. He hoped he might be, because he would be glad that he should state his opinions to the House upon the subject. The instant Russia obtained possession of Constantinople, all spirit of resistance to the Autocrat would be extinguished in Persia by the loss of that moral influence which the independence of Turkey now exercised over that feeble country. Persia would lose all confidence, and give up all resistance; and we might rely upon it that not many years would go by before Persia became, in fact, a Russian province. Now Russia, in possession of Persia, would come for the first time in immediate contact with an Indian population. What would be the effect? Did Gentlemen think that her influence would not be spread all over our Indian possessions? Did they think that it would not have an effect in Calcutta, and that our enormous empire would remain uninfluenced by such an event? On the contrary, we should see the power of England on the wane, and that of Russia rising up. The reverence now felt by the people for England, and their awe of her, would sink, and their dread of Russia would take its place. To Russia all eyes would be turned. All those who were discontented; all those who wished for a change; all those who would not lose anything by the overthrow of our Government in India—all those persons would turn their eyes to Russia—would direct their hopes and expectations to Russia; and did Gentlemen think that Russia, who was always crafty—whose schemes were not those only of conquest, but deep-laid schemes of subtle policy, which was to bear fruit not next year, not the year after, but in time to come—did they think that Russia would not use all her means in order to create discontent and disorganization in our Indian possessions? We required an army in India already. For what purpose? To control the population. Our Indian empire was called an empire of opinion. That could not be denied. Let Russia take away that opinion—let her undermine it—let her lessen the hold England had upon the opinion of the people there, and what would become of her? That empire would melt away, and escape from her grasp. At all events, the moment Russia became contiguous to our Indian possessions, we must immediately send out an increase of force to the East Indies. Now, he knew there was a great desire in that House for economy. He had always been for governing the country upon the most economical principle; and all who were for retrenchment in the public expenditure must with him be for preventing any occasion for a large increase of the army in India. But what outlay would the sending out an additional force occasion? 10,000 men would not be a large amount; probably the least that could be sent? What would be the cost of sending out 10,000 men to India? He had been informed by gentlemen well versed in those matters, that you could not send out one soldier from this country to India who did not, before doing one day's duty, cost the country 100*l*. Then if 10,000 men were sent out, there would be an expense incurred of one million sterling at one fell swoop. But take into consideration the cost of maintaining troops in India; it was three times as much as in England. The infliction of such an increased expense on the country was enough to appal the most courageous Chancellor of the Exchequer that ever filled that office. He had mentioned the moral effect of Russia getting possession of Turkey and Persia. He thought it was most important. He had not dwelt at all on the facilities it would give her for invading India; because that might be considered a mere chimera—an impossibility. That might be the case: he hoped it was so. But this was certain, that the possession of Persia would give Russia more facilities for that enterprise than she now possessed. If Persia fell under the yoke of Russia the attempt might be made. There would be great difficulties he admitted; but at all events one great obstacle would be removed; and he would just say this, that though we might think it impossible that Russia should obtain admisssion into the East Indies, that was an opinion not entertained at St. Petersburg. At the War-office there were plans prepared for the purpose of such an invasion; different stations were laid down, and means calculated, not only of one plan of invasion, but of several plans. These might all be vain and idle castles in the air. He did not wish to insist upon the subject. He did not attach much importance to it; but to the moral effects of the possession of Turkey and Persia by Russia he did attach the greatest possible importance. But these, although great, important, and terrific consequences, were not all. Let us come nearer home. With Russia in possession of the Dardanelles what would become of our political influence in Europe? How would the influence of Russia not be augmented? Russia even now could scarcely disguise—nay, did not disguise, her dissatisfaction at the changes which had taken place in the Peninsula. Did hon. Gentlemen think that when in possession of Turkey and Persia, and so much more able to defend herself from any attack than now, she would not show her dissatisfaction much more effectually? Disturbances might possibly break out in Italy. The people were far from being satisfied. If any disturbances did break out there (and Russia would take good care that disturbances should break out), Russia would immediately interfere. The consequences to Austria would be tremendous. She would become involved and surrounded almost by Russia. There would be Silistria terminating on Austria at one point; Turkey—and Greece as a matter of course—would be mere provinces of Russia; and did the House think that Austria would, under such circumstances, be able to maintain her possessions on the coast of the Adriatic? Again, by invading Italy, Russia would become almost an immediate neighbour of France, whom she would trouble. At all events, it would be necessary for us greatly to increase our fleet in the Mediterranean; and not only so, but constantly to keep up a much larger naval force than was now required. We saw then that our political influence would be diminished, and our commerce would be seriously affected. As our commerce would be affected, so our revenue would be diminished, while our necessary expenditure would be seriously and frightfully increased. But if one-tenth part of these consequences only were to accrue, he would say that we were not justified in neglecting the subject. We could only be justified if we had arrived at the conviction that Russia, having those schemes which he had shown she had always entertained, having those designs and those wishes, was still not in a situation to carry them into effect. Were they sure that there was no danger in Russia gaining possession of the Dardanelles? How did they know she would not take possession of it? She had a large fleet in the Black Sea now; fifteen line-of-battle ships and six or seven frigates. With those only she might transport a sufficient force to take possession of the Dardanelles. Let it be remembered that from Sebastapol to the Dardanelles the voyage was three days, with the winds that prevailed there during nine months of the year. Constantinople could offer no resistance. The Turkish forts were not sufficiently strong to arrest the passage of such a fleet, even if they wished to do so; but how did we know that they would be willing to resist? The Turks were in the habit of seeing Russian men-of-war pass up, but they had not been in the habit of seeing English men-of-war. The fleet might pass by Constantinople. If necessary, it might slip through with a strong current without any difficulty, and go down to the Dardanelles and take possession of them. Why, Turkey had not thought of resisting. The Dardanelles were no more in a state to resist a sudden attack than any town in England in which there was no garrison. And let it be remembered that when Russia once got there, what was the strength of the Turks to oppose her? She had nothing but those castles and fortifications which had been lately remodelled by Russian engineers, whom the Emperor was kind enough to lend to his faithful ally, the Sultan, for that purpose. If Russia get once with sufficient force into the Dardanelles, how would you dislodge her? How *could* you? Let Russia once get there, with such a force as she now had in the Black Sea, and you would not get her out again without a general war. Would any one wish to have a war? You could not get her out without an army. Was any one desirous of voting a sufficient supply to maintain a large army for that purpose? Where was the army to come from? Had we got it at Malta? He believed we had 6,000 or 7,000 men in Malta, and 3,000 or 4,000 in the Ionian Islands. But even supposing we had at Malta 11,000 men, and no less force would be sufficient to wrest the Dardanelles from the grasp of Russia, had the commanding officer orders on the arrival of the news which would justify him in sending out an expedition? Had he a sufficient number of ships together? Had he the necessary stores ready? No; in all probability the commanding officer at Malta would have to write home to the Government here for instructions; that is to say, his courier would have to make two sea voyages, and to cross the continent twice, before an expedition could reach the Dardanelles, to attack the Russian force on the land side—the only accessible side—where she would doubtless have a numerous army. Had not Russia the command of the whole mercantile marine in the Black Sea? The trade of Odessa itself employed no fewer than 200 sail of merchantmen in the Danube alone. With these means, could any one doubt, that long before either England or France could land any force before the Dardanelles, Russia would have an army of 100,000 men there? Was he not justified in saying that Russia could not be dislodged from such a position without a general war? Russia would have no difficulty in finding a pretext for aggression. She was now the ally of the Sultan of Constantinople. Mehemet Ali was now making preparations to attack him: he might alter his line of attack, and it could not be doubted that Russia might easily find a pretext for her interference. She would consider her faithful ally in danger, and not with any ambitious view, for

Russia did not know what ambition or what an incessant desire for self-aggrandisement was—but from a generous and disinterested desire to assist her ally, might easily obtain possession of the Dardanelles. Was not this an occurrence very likely to happen? Had he not shown that it might be very easily accomplished? These were enormous projects of gigantic designs, well worthy to attract the attention of this country; but they were not the whole of Russia's designs—they were only a part of them. To whatever part of the world they turned their eyes, wherever they looked, there might they find evidences of Russia's projects; there might they find the fruits of her desire of aggrandisement. There was the Prussian commercial league—a great subject, well worthy a separate discussion. He hoped it would meet with the attention it deserved, and that the hon. Gentleman opposite who had brought the question forward in the course of the last Session, would renew it in the present. That league threatened our interests and our trade. No man could contend that it would have no effect on our commercial interests. He might be told that the smuggler would come in and protect English interests, and that all these restrictions and proscriptions were inefficacious and illusory. If so, why had we been so anxious to destroy the continental system of Napoleon, and why had we evinced so earnest a desire to put him down? What excited so much alarm, if his exclusive system and prohibitory enactments were to have no effect whatever upon this country? He admitted that the smuggler would diminish the evil. He would weaken the blow, but he would not render it harmless. A country took all the produce she could afford to pay for; but if she had to pay the smuggler, of course the whole amount of her trade must be diminished by the amount she paid him. If he were told that the price of the produce would be raised, and that though the country might not expend an equal amount, the manufacturer would give as great a price for a less quantity, and that therefore the country would not be injured, he denied it. That trade was the most advantageous—not which gave the manufacturer the greatest profit, but which employed the greatest amount of labour. It might be said that the fact of the manufacturer deriving larger profits might enable him to give higher wages. He denied that. The effect was directly the reverse. When there was a reduced demand for goods, there was a superabundance of labour. This Prussian league, he maintained, had been projected and accomplished at the instigation of Russia, whose creature Prussia was. How had it been brought about? How was it that so many States whose feelings must be averse to it had been induced to join in it, and thereby to sacrifice their independence? The Prussian league had destroyed the independence of the States of Germany. The great prerogative and power of a national assembly was that of imposing taxes and granting supplies. What, then, became of the independence of a country which devolved upon a foreign state the most important duty of its national assembly? Their authority was with a foreign power; their independence was gone. The States had been induced to form this league by the high-sounding promises, and the pompous words of Prussia. German Unity was the phrase held out to them; the confederation of all the States in one common German name. Russia knew perfectly well that the confederation of States would soon become an immense and preponderating power, and that Prussia would have to look abroad for the assistance of some foreign State, which she hoped would be Russia. There was another most important project of Russia, to which this was a mere instrument. One of the projects of Russia—a more favoured one—a more dangerous scheme, not only an ancient and never-forgotten one, but one which involved the greatest amount of national feeling—was the establishment of a grand union of all the Sclavonian nations in the world. She was once Muscovy, she had become Russia, and she wanted to be Sclavonia. The great lever for the accomplishment of this design was the Greek religion. In all countries where that religion was professed, not only within but without the Russian territory, Russia kept up a constant intercourse with its chiefs, loading them with presents and caresses, and heaping upon them all the favours and allurements which a Court could bestow. They had their eyes constantly turned towards Russia, their thoughts were ever bent upon the Emperor, to whom they looked up as the head of their Church, and by whose means they hoped one day to be raised above the heads of another clergy to whom they were at present inferior. In other parts of the Sclavonian nation, where the Greek United Church prevailed, she paid writers to advocate her favourite theories; and some learned men, inspired perhaps by more worthy views, but entertaining mistaken notions, had for a long time, in different parts of Germany, been using all their exertions, and all their influence, to promote the Sclavonian Union. This was one of their means of menacing the Austrian Government. It was well known how jealous that power was of Russia, and how earnestly she had urged this country to oppose the power of the Autocrat. Well might England lament, with deep and bitter regret, that the advances made to her by the statesmen of Austria, who entertained larger, better, and more comprehensive views than our own, had been rejected and despised. Prussia was the creature of Russia, and had done everything to second, and nothing to thwart, her designs. Upon her present creature, however, she would one day turn, and Prussia would be dismembered, when Russia, in the prosecution of her crafty projects, required her no longer. Another of the projects of Russia, her most darling scheme, the one which she cherished most dearly, because its accomplishment would afford her the means of repelling and resisting the power of this country—the only nation which could check her progress—was to become a great maritime nation. She had already at Cronstadt, seventy miles from Finland, a flotilla of 400 vessels. She had not ventured to raise an army there, the people of Finland were too disaffected, and she had only one regiment, 1,500 men, who were employed in the late Polish war. She was now organising a great naval force, amounting already to 12,000 men. Nothing could be easier for her, with such means, than to obtain possession of thewhole western coast of Norway. All along that coast were natural harbours, formed of narrow inlets, which contained water quite deep enough to admit ships of the line. It was only necessary to glance at the map to understand the importance of this position. It must not be forgotten, too, that Norway and Sweden furnished the best sailors in the world, together with abundance of excellent timber. With such advantages, what was there to prevent Russia at once becoming a great naval power? And what extent of resistance would be necessary to be effectual, when she issued from these ports in the west of Europe, and was joined by an American, and most probably by a Dutch fleet also? If there were only the most distant chance of such events coming to pass, how could this country be apathetic, and refrain from taking every step in her power to resist the aggressions of this gigantic and rapidly increasing Leviathan of the North? And what was the character of this Government, which was now threatening Europe, and menacing subjugation to the whole world. Was it a mild, wise, beneficent, and enlightened Government, diffusing around the blessings of peace, good order, good Government, free commerce, and all those advantages which flowed from a well-ordered administration of any of them? On the contrary, wherever Russia extended her sway, there you found savage torture, grinding oppression, unblushing venality, odious corruption, the treacherous system of *espionnage*, spoliation, moral degradation, and slavery, with all its attendant evils and horrors. Napoleon, when he subdued nation after nation, and carried his conquests far and wide, conciliated even those whom he subjected to his rule by introducing internal improvements and ameliorated administrations. Other conquerors had done the same in different periods of history; but what benefit, he would ask, had Russia ever conferred upon any country she had subjected to her despotic sway? They used to hear of Russia civilising the barbarians of the earth: the time when such language could be used was gone for ever. He believed that those who had once used it were now conscious of their folly and their ignorance, and cared little to be reminded of their former sentiments. If they wanted to know the character of Russia, they had only to inquire into the history of her late conduct towards Poland and towards her unhappy people, who did not take up arms until they had been goaded to resistance unheard of, and unrevenged for fifteen years together, and who at last, with rare magnanimity, when they had got into their hands the brother of the Autocrat—the man who had turned the whole country into one scene of misery—the man who had watered it with the tears of its inhabitants—the man who had filled the prisons, and exercised every species of oppression it was possible to conceive—

suffered him to depart unmolested and unhurt. What had Russia done in return? Had she contented herself with putting down the insurrection, and re-establishing her authority? No. They all knew the manner in which she had treated the Poles. They saw the nobles and the patriots of Poland in exile, they heard of their property being confiscated (the intelligence of fresh confiscations had arrived since the commencement of the present Session), they heard of children being torn from their mothers' arms, under pretences the most hypocritical and disgraceful—of families being carried off to the most distant regions of the empire, to be made Russians of—of churches desecrated and altars outraged, and yielded up to the ministers of another religion—of the very language of the people being suppressed—of a system of conduct so foul and so atrocious, as to fix upon the Russian nation the stain of being the enemy of the human race. They knew of all these things. He said emphatically, they knew of them. On former occasions they had been met with "ifs." "If," said hon. Gentlemen, "these things be so, then deplorable oppression and cruel outrage do exist." There was no necessity for proof now. The acts of Russia were known and admitted. No man could stand up and pretend to entertain the slightest doubt on the subject. Such were a few traits in the character of the Russian Government. He would not expatiate upon it. There was no man, he would venture to say, in that House or in the country, who did not feel indignant at its tyranny. The English nation loved peace; no man, he believed, was desirous for war; but he did not hesitate to express his belief, that if affairs should come to that crisis when war with Russia would be necessary, there would be no man, not even among those most averse to war, who would not derive some consolation from the idea that the oppressors of Poland were to be chastised. He might be told that other nations who had attained a great eminence had fallen, and that Russia might fall also. Did history furnish any example of a country whose aggrandisement had been procured by the means, and in the manner in which that of Russia had been promoted, having in that aggrandisement the elements of weakness and the seeds of decay? The aggrandisement of Russia was not the result of the achievements of a great conqueror. It had not been achieved by conquests such as those of Alexander the Great, or Tamerlane, or Napoleon. It was the result of a steady, regular, subtle system. He would beg to read to the House a short extract, which so well and so accurately described the mode in which Russia accomplished her aggressions, that he need offer no apology for its introduction. It was from a most valuable work, one which every gentleman who had any desire to make himself acquainted with the policy of Russia, or the manner in which it could affect this country, ought to have constantly at hand, and would do well to study. He meant *The British and Foreign Review.* "The process of incorporation (said the writer) is progressive and patient. Hitherto she has betrayed no hurry, yet her progress has been rapid beyond all parallel. Her's is not the sudden conquest of a gifted leader, but the regular advances of a system of incorporation of a vast empire, which she is now commencing as a work of infinite labour; and until it is completed she dare not awaken Europe from its slumbers. She must not threaten and alarm; she must soothe and undermine. She does not excite combinations against her; she sows dissensions before her. The chains she carries do not clank, her footsteps have no echo; her shadow blights where her hand cannot reach; and when she comes, it is to abide." He might be told that Rome conquered and fell. It did. And so did Byzantium, but not for ten centuries afterwards. Russia slowly made her way, and if she were downcast occasionally, it was only by a passing cloud. Catherine II. for a while desisted from her designs upon Turkey, and Napoleon reduced Russia to a secondary power. But did either defeat induce her in reality to desist from the designs she had formed? No: they only enabled her to watch an opportunity for advancing with redoubled vigour. If England wished to curb Russia effectually, and to interpose an efficient check in the way of her incorporation of power, she must do so not only in one point, but in all. She must raise up insurmountable barriers in every quarter to which her ambition was directed. She must not be satisfied with protecting Turkey merely; she must protect other countries, and raise other barriers. Poland held the door to Turkey on the one side, and to Germany on the other; and both Poland and Turkey would always in the long run share the same fate.

The first pretext for the partition of Poland was the existence of the plague, and the formation of a *cordon sanitaire*. To secure the independence of Turkey, every opportunity must be seized on for securing the nationality of Poland. He had thought it his duty to bring this subject before the House. He might be asked why he had put himself forward for the task? He knew the question was a great and important one; he felt how inadequate he was to do it justice. His motives, however, were a strong sense of duty, and an earnest desire to rouse this country, to awaken her from her lethargy, and to direct her attention to the designs of Russia; and seeing that none of those who were so well qualified for the task had declared their intention of executing it, he—humble as he was—had taken it upon himself. A whole year had passed and nothing had been done—no motion had been made with reference to Russia. These were his excuses for putting himself forward. He did not wish to embarrass the Government. He believed they well knew that his desire was to support them. He only wished them to adopt that line of policy which he conceived tended to the promotion and advancement of British interests. He knew that no Government, whatever were their views, could act satisfactorily without the cordial support of that House and of the country. Even the Minister who entertained views on this subject nearly approximating to his own, even his Majesty's Judge Advocate General (Mr. Cutlar Fergusson) whose absence he regretted—were he where he ought to be, and where, from his high station, long experience, and great stake in the country, he believed the House and the public would feel pride and pleasure in seeing him—he meant in the Cabinet—even he, he felt assured, would not recommend the adoption of the measures nearest his heart, unless he had satisfactory evidence that the country felt with him, and was ready to second his views. He well remembered that in bringing forward the motion which his right hon. Friend had made on the subject of Poland—those motions which had rendered his name so dear to every friend of freedom in Europe and the civilised world—he had not only ably, eloquently, and ceaselessly, asserted the rights of the unfortunate and distressed Poles, but had also dwelt strongly on the dangers to which Europe was exposed from the encroachments and ambition of Russia. He was not an advocate for war, he acknowledged the propriety of maintaining peace, and adhering to a strict system of economy; but it was incumbent on us to arrest the further progress of Russia, by adopting a high tone in our communications with that power. If we wanted peace, we must impress Russia with the conviction that we were ready to go to war with her if necessary. He hoped that the House, which was at present so thinly attended, would see the right hon. Baronet, the Member for Tamworth, rise in his place, after he had returned to it, to state his opinion on this question. He hoped, also, that the noble Lord the Member for North Lancashire, and the right hon. Baronet, the Member for Cumberland, would speak out, and that all those who filled a prominent station in that House would express their sentiments upon the subject. He wanted to know whether, if Russia chose to close the Dardanelles, we ought not to resent it, and whether we were to look on with indifference while the Turkish Empire crumbled to pieces? He thought it was the duty of this country to interfere—and that was now especially the duty of the Secretary for Foreign Affairs, in order to prevent such a misfortune; and this could only be done by adopting a firm tone. If his noble Friend had, as he believed that he had, a higher ambition than merely retaining his place, and was anxious to have it mentioned by the future historian that under his administration the interests of England were maintained by the dignity, and firm and profound views which he had adopted, and which the country had a right to expect from the person who was at the head of the Foreign Department of the country, his noble Friend should at once take steps to remove the apprehensions that prevailed in the minds of Englishmen with regard to the conduct of Russia. It was his intention to move for the production of a number of papers. In the first place, he intended to call for the production of the treaty of Unkiar Skelessi, which at the present moment much occupied public attention. He could not understand the purport of this treaty, if it was not to prevent English ships sailing through the Dardanelles, the object apparently was, to prevent European ships of war going through the Dardanelles without the permission of the Emperor of Russia.

It applied, however, not merely to vessels of war, but by implication to all merchant vessels. How was it—if this treaty was not enforced—that the Ambassador of England to Russia had to disembark from the frigate in which he had sailed from England, and go on board a steam-vessel which had been disarmed for the purpose, previously to being allowed to enter the Dardanelles? Lord Durham sailed from England in a frigate; but the Pluto steam-ship had her guns taken out of her, that she might be allowed to carry that nobleman through the Dardanelles. An insult was offered to England in the treatment manifested to Lord Durham. The Russian authorities at Odessa refused to salute that nobleman as an ambassador, on the ground that they did not know the vessel he sailed in from a merchant ship. How was it that an English ambassador was not allowed to go into the Euxine in a frigate. Since that time, however, Russian men of war with their guns run out, and their colours flying, had repeatedly passed the Dardanelles. This then was the way in which Russia was treated in contrast with the way in which England was. What effect could such conduct have on the minds of the people of Turkey, with whom it was so much our interest to stand well, other than pointing out to them the predominance of Russia, and the pusillanimity of England. The treaty of Unkiar 'Skelessi furnished Russia with a pretence for theoccupancy of the Dardanelles. By this treaty, Turkey guaranteed to Russia that no vessel of war belonging to any other country should pass through these straits; and did not this treaty enable the latter power to say, "You have not sufficient power to enforce it; I will assist you in putting it in execution, and therefore I will place an armed force there." It was his firm conviction that, by the treaty of Unkiar Skelessi, Russia might at any time demand the exclusion of all foreign vessels from the Black Sea as well as be allowed to prevent their entering. It was stated that Russia was only to do this in case of war, but that power was in a state of warfare at the present moment. She was at war with Circassia, and therefore she might require that the treaty should be enforced to the fullest extent. The first article of the treaty of Unkiar Skelessi states that "This alliance having solely for its object the common defence of these States against all attack, their Majesties promise to have a mutual and unreserved understanding as to all objects which concern their tranquillity and safety respectively, and to send to each other for this purpose *materiel*, succours, and most efficacious assistance." This is afterwards further explained by the secret article of the treaty, which states:—"In virtue of one of the clauses of the first article of the patent treaty of defensive alliance concluded between the Sublime Porte and the Imperial Court of Russia, the two high contracting parties have engaged to lend mutually *materiel*, succours, and the most efficacious assistance for the safety of their respective States. Nevertheless, his Majesty the Emperor of all the Russias, wishing to save the Sublime Ottoman Porte the expense and the inconveniences which might result to it from lending such *materiel* succour, will not demand this succour. Should circumstances place the Sublime Porte under the obligation to furnish it, the Sublime Porte, in lieu of the succour which it is bound to lend in case of need, according to the principle of reciprocity of the patent treaty, should limit its action in favour of the Imperial Court of Russia, to shutting the strait of the Dardanelles, that is to say, not to permit any foreign vessel of war to enter it under any pretext whatsoever." Another treaty was entered into between these two Powers at St. Petersburgh, in January, 1834, carrying out the principles laid down in the treaty he had just quoted. There were two allusions to these two States in Speeches from the Throne, but it was clear, from the language put into his Majesty's mouth, that Ministers were not aware of what was going on. In the Speech from the Throne, made at the close of Parliament, the 29th of August, 1833, it is stated, "The hostilities which had disturbed the peace of Turkey have been terminated, and you may be assured that my attention will be carefully directed to any events which may affect the present state or the future independence of that empire." On the 4th February, 1834, the following language is put into his Majesty's mouth:—"The peace of Turkey, since the settlement that was made with Mehemet Ali, has not been interrupted, and will not, I trust, be threatened with any new danger. It will be my object to prevent any change in the relations of that empire with other Powers, that might affect its future stability and independence." It appeared, however, that almost on the same day, certainly in the same week, a treaty was entered into at St. Petersburgh, by which the Sultan ceded an important territory to Russia, and by which the latter Power would be able at all times to enter Turkey. He had repeatedly heard that the object of the Crown was to prevent the dismemberment of the Turkish empire, but at the time these declarations were made, treaties were entered into directly contrary to their effect, and obligations were contracted which would at any time afford sufficient grounds to Russia to adopt any steps she pleased towards Turkey. He did not think that Government should, or ought, or could, with anything like justice, refuse to produce the papers he called for, having reference to these two treaties. When Mr. Sheil, the hon. Member for Tipperary, brought forward his motion on this subject in 1834, he was met with the objection that the production of the papers at that moment would be attended with inconvenience. The noble Secretary for Foreign Affairs entreated the House to abstain from calling for the papers until they could be laid in something like a complete shape before the House. The treaty was now signed and in full operation, and after what was said on that occasion, he could not suppose that the Government would refuse the production of the correspondence now. If no negotiations were going on, then it was right that the country should see what had been said by the Government. It would be in the recollection of the House, that when his right hon. Friend, the present Judge Advocate-General, made his motion, it was opposed by the Government, "because," said they, "we have already done more than you propose to do; we have made most energetic remonstrances, and therefore it is of no use for you to address the Crown on the subject." Those remonstrances, however, were of no use; Russia still pursued the same system of reckless barbarity towards unhappy Poland. There was then a *primâ facie* case made out for the production of that part of the correspondence of our Government with Russia relating to her conduct towards Poland, which the representatives of the people had a right to demand. He was not a man who called himself of no party; he belonged to the Whigs, and it was his pride to call himself one of them, who had done more for the country than any other party, and who alone could carry on the government of the country with effect; but when he thought of the conduct of the Whigs towards Poland, he felt no pride in the name of Whig, and so far from giving him satisfaction, it penetrated his heart with shame. We had already incurred the charge of disgraceful pusillanimity by abandoning Poland, let us not become liable to the imputation of insanity by surrendering the Turkish empire into the hands of its enemies. He could not help feeling that they had much to answer for in abandoning Poland to her fate; and he trusted that they would not have the additional charge brought against them of abandoning Turkey also to Russia. The noble Lord concluded by moving an address for a copy of the Treaty of Constantinople of the 8th of July, 1833, called the Treaty of Unkiar Skelessi; the Treaty of St. Petersburgh of the 29th of January, 1834; and also for a copy of any correspondence between this Government and the Governments of Russia and Turkey, relative to these treaties, and any correspondence with the Government of Russia relating to the remonstrances made by England against the conduct pursued by Russia towards Poland.

Mr. *Thomas Attwood* rose to second the Motion. He was sure the House could not but admire the ability and good feeling which pervaded the important statements which the noble Lord had that night laid before it. If this country had, as she ought to have done, put on the appearance of war, there would be no occasion for war now. Now we must go to war. He said that if the Government did go to war the people of England would support them. It had been stated that the day was passed for vindicating the treaty of Vienna. If so, there was an awful responsibility on the noble Lord the Secretary for Foreign Affairs, for it was by his hand that Poland fell. Sir Edward Codrington, with his fleet, could have saved Poland in 1831, had he been permitted by the noble Lord to enter the Russian ports, which he could easily have done. In 1833 the Sultan asked the noble Lord for a fleet from England, to aid him in putting down the rebellious Pacha of Egypt, but the noble Lord said "No; we have one fleet at Lisbon, another fleet at Antwerp, and we cannot raise a third fleet to assist Turkey, and assert the power and independence of England." The noble Lord ought to have come to Parliament for supplies. He ought to have pawned the crown jewels, rather than suffer the character of this great nation to fall, without an attempt to vindicate himself and his allies. The noble Lord must take care to prevent Russian intrigue operating on his mind. The noble Lord had more than once insinuated that his (Mr. Attwood's) wish for a war with Russia arose from an anxiety to get paper-money, and also that his constituents might get orders for arms; but he would not say that Russian influence or intrigue had operated with the noble Lord when he suffered that Power to attain such sway. He could not help saying, that by the course which had been followed the honour of England had been sacrificed. He charged the noble Lord with having been guilty of a dereliction of duty, in not watching sufficiently the interests of this country. The noble Lord long ago ought to have laid on the Table papers calling for an addition of men to the army; and if instead of fitting out a fleet now, it had sailed two years ago, the Russian fleet never would have been at Sebastapol, and this nation might have done what she pleased in the Black Seas. It was said that this country could not support the expense of a war as long as we had a gold standard, but she could do so with good paper. If they could go to war with gold, well and good—but he would say, at all events, let them have war rather than be trampled on by Russia. The noble Lord (Palmerston) was now preparing a fleet. Why did he not do so before? Perhaps, he would say, as Lord Liverpool did, when the French were entering the Milanese territory, "I could not have threatened because, I was not prepared." In place of threats, let the noble Lord act. He need not fear; Russia is weak. She had been making preparations for the last three years. They allowed her to increase in strength, but had the noble Lord acted with the spirit of an Englishman or an Irishman, he might without difficulty have pushed Russia gradually from the Dardanelles and the Danube, and have humbled her in the dust. If the noble Lord were now to demand all at once, Russia would not submit. He was glad to find that so much was now to be asked, because he trusted Russia would refuse, and then by a war all that was desired from her might be secured. Great Britain had been grossly insulted by those barbarians. No Englishman, unless from interested motives, would deny this. Out of doors a war with Russia was most popular. ["*No.*"] Yes it was. He did not say with the aristocracy—he spoke of the people. In the mercantile navy of this country, a deadly hatred prevailed against Russia, and plenty of volunteers might be had in the event of a war. It might not be popular with those who were interested in loans—with the Jews. When he mentioned the word "Jews," it was not in disrespect to that illustrious nation—he alluded to the money-jobbers, to those muckworms, as Lord Chatham called them. Few would be opposed to a war with Russia, unless those connected with loans; and no man interested in loans and stockjobbing should have a seat in that House. No man who was interested in the national burdens should sit in the House. No man with large investments in Consols should be allowed to administer the law, or have a voice in vindicating the honour of England. They were aware that, in case of a war, Consols might again fall, as they did in 1796, to 58. Now a word with respect to the insults of Russia to this country. He paid great attention to those subjects. He knew them well, but the villainous public press, what was called the fourth estate, concealed them from the public. Let them look—not into newspapers, but into books published upon the subject—into libraries, and into treaties, and they would find that every thing which fell from the noble Lord was true. In 1827, a treaty was entered into between France and England, and Russia, for supporting the independence of Greece, and Russia then engaged not to pass the Pruth. Immediately afterwards the English fleet destroyed the Turkish fleet at Navarino, and soon after this was done Russia said that she had a private ground of quarrel with Turkey, and sent her army across the Balkan to Adrianople, which she never would have done if the Turkish fleet had not been destroyed. The Duke of Wellington was then at the head of affairs—he, and a worse man than the noble Lord, who was at the head of the Foreign Department, he meant Lord Aberdeen—refused to go to war. Count Nesselrode imposed upon them, and stated, "Oh, we have a private quarrel with Turkey—our honour is involved, and you ought not to prevent us vindicating it." The Duke of Wellington pocketed that insult, and, as he had told the House three years ago, he would never forget or forgive it. The Russians afterwards passed their fleet from the Baltic to the Dardanelles, and the Duke of Wellington, then at the head of affairs, suffered them to do so. His Grace, however, made another remonstrance to Count Nesselrode, who responded, "Oh! we are very sorry; no insult was intended, and we only acted as the guardians of our own honour." The blockade of the Dardanelles then followed, and the Duke of Wellington submitted to the insult of the required submission of every English ship cleared from Constantinople before the date of the blockade to a clearance before it passed free. He appealed now to English honour to resist this mode of treatment, and he would call upon the noble Lord at the head of the Foreign Department to "show pluck," and compel the fulfilment of treaties, and to sweep the aggressors from Turkey. This, he was satisfied, could be done without a war: but, even in that extremity, he was sure the people of England would lend to the noble Lord their best aid and assistance.

Lord *Pollington* said, that the House, he was sure, would feel much indebted to the noble Lord for calling their attention to this subject—of no less importance to this country than to the fate of that heroic people of whom the noble Lord was the able and the constant advocate. The apathy of this country towards the cause of Poland was most injurious to its own interests—permitting Russia, as it had done, to take possession of Wallachia and Moldavia. Since the last Session of Parliament, he (Lord Pollington) had been to the Sclavonian possessions of Austria, and he could assure the House that there was not a Dalmatian Greek who was not most anxious to throw off his allegiance to Catholic Austria, and, in obedience to the advice of his priests, become a serf of Russia, to whom he looked up as to his national and most powerful protector.

Mr. *Barlow Hoy* said, he did not wish for war, nor did he believe the people of England wished for it. The House was indebted to the noble Lord for bringing this subject under their consideration, but his speech embraced too great a variety of subjects. Like the wave produced by a stone thrown into the water, the subject went on extending itself till it became indistinct. There were only three ways in which British interests in India could be injured. First, by interfering with the religion of the natives. Secondly, by colonization. There was no instance of a country having been colonised that did not ultimately separate itself from the mother country. It so happened to the Dutch, to the Portuguese, to the Spaniards and to the English in America. The third was by degrading their own service in India to the level of the natives. The moment this was done their hold of India was lost. He considered the day very distant, indeed, when Russia should be able to invade India successfully. It was hardly possible, from the numberless difficulties of such an enterprise that it could ultimately succeed. He could not approve of the policy pursued by England towards Turkey. They had no more right to assist in the separation of Greece from Turkey, than Turkey would have to separate Ireland from England. The battle of Navarino was most injurious and disgraceful to England, and proved highly advantageous to Russia. No country in Europe was worse treated than Turkey. They had to contend at the same time against European Alliance, against the Pacha of Egypt, and against Servia. Besides this they were always oppressed by a system of quarantine. The noble Lord talked of the aggressions of Russia; but let him look at England, and see the extent of her aggressions in India since the time of Lord Clive. Sufficient attention had not been paid to their foreign policy since the question of Reform began first to be agitated in that House. The noble Lord who brought forward this Motion seemed to think that it would not be a very difficult matter for a fleet to pass the Dardanelles at night. A short time back he proceeded to the Dardanelles in a Maltese vessel. It was dark when they approached. A light was instantly displayed, and in a few minutes several shots were fired. This, with the Turkish cantonments, stationed in the plains of Troy and in other parts adjacent, proved that the Turks were not so inattentive to the passage as the noble Lord seemed to suppose. If Turkey were disposed to keep up her connexion with Russia she could not be frightened out of it by mere demonstrations. This besides, would be a contemptible mode of proceeding. It had been said that all might be easily done by a union with France. For his part, he could not approve of these unions between two or more great Powers. Weak States might unite for their mutual protection, but it was not so with great Powers. Such a union was not required. If war should become necessary, he hoped England would stand alone in the contest, as she had done before.

Viscount *Palmerston* rose and said, whatever might be the effect of the speech of his noble Friend who had made this motion, and however he might agree with some parts of that speech, and disagree with others, there were, at least, two sentiments expressed by the two hon. Gentlemen who had followed the noble Lord in the present debate, with which he could not agree. With respect to those sentiments so expressed, he (Lord Palmerston) must take leave to give utterance to his most entire dissent. The hon. Member for Birmingham (Mr. Attwood) had expressed his anxious desire to see this country engaged, as soon as possible, in a war. In that wish he could by no means concur. On the contrary, he wished that this country should continue at peace, and he firmly hoped and believed that peace would continue. But if the day should arrive when, by the aggression of other powers, this country should find itself engaged in a war, he certainly could not concur in the fervent wish of the hon. Member for Southampton, (Mr. B. Hoy) that against the combination of other powers this country should have the good fortune (according to the hon. Member) to stand alone and unassisted. He did hope, if this country became involved in a war, that it would be found that the friendships we had formed during a period of peace—that the respect, confidence, and goodwill which the integrity, dignity, and honesty of our policy had created in the minds of other nations,—would accompany us into that war, and that our cause being, as it must be, just, we should not only be supported by the sympathy of all mankind, but be backed by the active exertions of faithful and powerful allies. His noble Friend who had introduced this motion, had commenced by expressing his opinion that the subject to which he was about to draw the attention of the House was one of the greatest national importance. In that opinion he would be the foremost man in that House to agree; because if there were in existence any man who thought the foreign relations of the country a matter of insignificance, and which could, without danger to the country, be treated with indifference, he held that man to have looked to the affairs of mankind, and to the lessons of history with little benefit to himself or to the country. But he did not agree with his noble Friend in thinking that the thin state of the House on the present occasion, or the circumstance of but few Members being present of late years when questions of foreign policy had been discussed, was any indication that there prevailed, either in that House, or in the country, a feeling of indifference with respect to those matters. It had never been the character of the English nation, or of the British Parliament, to feel an indifference with respect to the affairs of Europe. On the contrary, he should say, that if there was any thing which more peculiarly characterised the people of this country, and the deliberations of Parliament, it was an anxious and lively attention to the events which were arising around them. Perhaps, on some occasions, the House had rather gone before the Government in an eager and keen perception of coming events, than lagged behind, and looked with indifference on matters which deserved attention. If he might be permitted to give an explanation of that apparent indifference on the part of the House to which his noble Friend had alluded, he should say that it arose, not from any insensibility to the importance of the subjects which had been commented upon by his noble Friend, but from a confidence in the Government of the country—from a knowledge that foreign affairs have been managed in a way to preserve peace—and from a belief that the attention of Government was studiously directed, and needed not to be urged by repeated goadings from that House, to maintain peace abroad, and at the same time to watch carefully all the important interests as well as the honour of the country. If an opinion prevailed that the foreign affairs of the country were ill-administered, the noble Lord would not have seen the House so empty as it had been on that night and on former occasions. At periods when the country had been dissatisfied with the management of its affairs, that House had frequently a much fuller attendance at discussions of questions relating to foreign policy than on those even of the greatest domestic interest. He therefore thought that he was entitled to say, that that which his noble Friend regarded as an indication of indifference on the part of the public to foreign affairs, was, in fact, a proof that the country was satisfied, and confident that foreign affairs would be properly attended to by the Government. His noble Friend, in a speech of great ability and research, had traced the progress of the augmentations of territory acquired by the Russian empire. Now, if there were any one circumstance more peculiar than another connected with those acquisitions, it was, that they had almost invariably been made at periods when the other nations of Europe were engaged in quarrels amongst themselves, and had their attention occupied by their own respective wars. If that were the case, his noble Friend could not but approve of the policy, the object of which was to preserve the peace of Europe; because the best way to prevent Russia from making further aggrandizements was, not to follow the course recommended by the hon. Member for Birmingham of going to war, whether to be paid for in gold or in paper, but to maintain a state of peace, and to prevent the recurrence of those events which had led in former times to those evils which his noble Friend had pointed out. He entirely agreed with his noble Friend as to the importance to this country, commercially and politically, that Turkey should be maintained in integrity and independence. He had on former occasions endeavoured to satisfy the House that that opinion was entertained by his Majesty's Government; and it had been expressed on all those occasions when it was consistent with the usual practice of the Crown for the Government in its communications with Parliament to refer to the subject. He could assure his noble Friend that it was impossible for him to feel more strongly on that subject than did his Majesty's Ministers, and he believed that the same sentiment was shared by all the other nations of Europe, whose interests, as well as those of Great Britain, required that Turkey should continue an independent, powerful, and prosperous Empire. Considering the great importance of the matter before the House, considering also the delicacy and difficulty which a Minister of the Crown must always feel in going into any discussion with respect to the relations of this country with other powers, when no precise necessity for so doing had arisen, he was persuaded that the House would think that he should best discharge his duty by not following his noble Friend at length through the various topics to which he had called the attention of the House; but with respect to one of them—namely, the Prussian commercial league—he did wish to set his noble Friend right. His noble Friend seemed to think that that commercial league, of which Prussia was the head, was the result of Russian policy, and destined for Russian objects. He was convinced that his noble Friend was in this respect, at least, mistaken. That league had undoubtedly for its object the advancement of Prussian views and Prussian interests. No doubt Prussia first conceived the plan of uniting the different countries of Germany by one common league; but, at the same time, it must be remarked, that if that league were not for the advantage and the interest of the other states in Germany, it was impossible to suppose that Prussia could have prevailed upon them to co-operate in carrying that plan into effect. It had been a favourite notion in Germany, that it would be advantageous for all the states to get rid of the various impediments which the numerous Custom-houses opposed to their traffic, and to give to the trade and industry of the interior greater freedom. The commercial league was a German conception; whether it might operate to the advantage or detriment of England—(he believed it would have little effect in either way)—it was, at any rate, not a Russian, but a purely German transaction. His noble Friend had expressed his feelings strongly in reference to Poland, but he had not pressed his Majesty's Government to take any practical measures, on account of the situation of that country. Doubtless his noble Friend felt that whatever sympathy might be felt, in or out of that House, with regard to Poland, it was not a subject respecting which it was possible for him to suggest, or for the Government to take, any measures at the present time. As to the papers for which the noble Lord moved, there was one which he felt no difficulty in granting, but there were three other parts of the motion which he considered it his duty to oppose. The treaty of Constantinople, called the treaty of Hoonkiar 'Skelessi, was officially possessed by his Majesty's Government, and to the production of that treaty there existed no valid objection. The other treaty mentioned in the motion, namely, the treaty of St. Petersburgh, was not officially possessed by the Government, and of course could not be produced to the House. With respect to the correspondence which the noble Lord called for, namely, that between this country, Russia, and Turkey, relative to those treaties, he certainly must entreat the House not to insist on its production. He was prepared to say, that that correspondence could not be produced without inconvenience to the public service; and he trusted that the House would rest satisfied with that statement, and not press the Government to lay on the Table copies of correspondence, the production of which would, in point of fact, answer no object which the noble Lord could have in view. With regard to the correspondence on the subject of Poland three years ago, which formed the subject of the last part of the noble Lord's motion, the reason why it ought not to be published had been stated to the House on a former occasion. A motion was made for the purpose of urging the Government to protest against the change which, at the period he had alluded to, was made in the Constitution of the kingdom of Poland. The Constitution of Alexander was abolished, and an organic statute substituted by the present Emperor of Russia. On that occasion it was stated, that the British Government had remonstrated against the change, and had expressed an opinion that it was not consistent with the spirit of the treaty of Vienna. He now repeated that declaration. So far, therefore, as the opinion of the British Government, expressed to the Russian Government on the subject, went, his noble Friend had all the advantage of it, but he thought the House would be of opinion that no good could arise from publishing to the world, after an interval of three years, all the correspondence which might have passed between two Governments on a subject respecting which their opinion differed, especially as nothing had recently occurred to make the publication of this correspondence necessary. If a country was going to war, it would then be right to produce every thing to show that the cause was good and the quarrel just; but if the preservation of peace was desirable, it could not be politic to publish to the whole world communications which might expose the existence of conflicting opinions, and would tend to create irritation on both sides, without accomplishing any useful purpose. It was on these grounds that he recommended the House not to concur in that part of the motion which called for the production of those portions of correspondence. Before sitting down, he must inform his noble Friend that he was mistaken in supposing that the treaty of Hoonkiar 'Skelessi had led to any indignity being offered to this country in the person of its Ambassador, or had induced the Government to adopt, with regard to the Ambassador alluded to, any measures inconsistent with the dignity and the honour of the British nation. In the first place, he ought to tell his noble Friend that that treaty, as far as it applied to the passage of the Dardanelles, was at present a dead letter, because by its very terms it was to have no force except in time of war. [Lord *Dudley Stuart;* Russia is at war with Circassia]. That was not the sort of war contemplated by the treaty, which was therefore a complete dead letter; and the passage of the Dardanelles stood exactly as it would have stood had no such treaty been made. What, then, were the circumstances affecting the passage of the Dardanelles with regard to this country? By very ancient treaties, British ships of commerce had a right to enter all Turkish ports and to navigate all the Turkish seas; but the eleventh article of the treaty of 1809 declared that it was the ancient practice of the Porte not to allow ships of war to pass through the strait of Constantinople and the Dardanelles; and England on her part declared that she respected and acquiesced in that ancient privilege of the Porte. We had, therefore, no right to send our ships of war through the strait of Constantinople, except with the permission of the Turkish Government; but that permission had been asked and obtained whenever there existed sufficient reason. Now what was the case with respect to Lord Durham? He went in a frigate through the Dardanelles up to Constantinople. But the noble Lord seemed to think that it was a want of dignity on the part of the British Government in not directing Lord Durham to proceed further in the frigate. If any thing could depend upon the mere fact of a British frigate having gone into the Black Sea, that fact had already happened; the *Blonde* had entered that Sea and sailed round it. But the fact was, that about the time when Lord Durham sailed from this country, Mr. Ellis also departed on a special embassy to Persia. That Gentleman embarked on board a steam vessel which carried him through the Dardanelles to Trebisond. The vessel then returned to Constantinople, whence it carried Lord Durham to Odessa, being all the time in exactly the same state as when it left the shores of England. It was not heavily armed, because, as it had to carry the baggage of the Ambassador, its large guns would only have been in the way, but it bore his Majesty's pennant; none of the arrangements were of a nature to throw discredit on the flag of England. When the vessel reached Odessa, it was certainly true, that in consequence of a mistake on the part of the Captain of a Russian man of war, some delay occurred before salutes were exchanged. This arose, however, from mere mistake, for Lord Durham was received by the authorities at Odessa with every mark of distinction, and in the most flattering manner, as the representative of the King of England. His noble Friend was, therefore, mistaken in supposing that the treaty of Hoonkiar 'Skelessi had any influence on the manner in which Lord Durham proceeded to Odessa, or that anything passed inconsistent with the respect due to the flag of England, and to the Ambassador of the British nation. Without entering into the various other topics discussed by his noble Friend—without investigating, like the hon. Members opposite, the question of colonization in India—without being drawn on the present occasion into a defence of the policy adopted by this country with regard to Greece—a policy which he must, however, be permitted to characterise as honourable and advantageous to England—without vindicating the Greeks from the sweeping charge that they were robbers by land and pirates by sea—though he could not help wishing that the hon. Member from whom it proceeded, and who had made the tour of the East, had devoted a little time to study the character and pursuits of the Greek people, he nevertheless could assure the House that the importance of all these subjects was duly appreciated by the Government. He also assured the noble Lord that if they should even find it necessary, for the due maintenance of the interests of the country, to call upon the House to furnish the means of vindicating the national interests and asserting the national honour by a war, Ministers would certainly do so, but they would never make such a call without such good and sufficient ground as would ensure them the confidence and concurrence of Parliament. It was not, however, the wish of the Government to disturb the transactions of peace by spreading abroad menaces of war; and as they did not at present see any reasonable ground why the peace of this country and of Europe should be disturbed, they felt it to be their duty, while they agreed to a part of the present motion, strenuously to oppose the remainder. He entreated the House to leave the Government to manage the affairs which had been intrusted to their hands, resting satisfied that they would not plunge the country unnecessarily into war, that they were determined to preserve peace as long as they could, and that they did not at present see any reason to doubt its continuance.

Dr. *Bowring* thought that no one could mistake the high and generous sentiments which had given rise to the Motion of the noble Lord, but at the same time he thought the noble Lord himself was mistaken in his views of the extent of the powers of Russia. It was to be regretted that such statements should go forth to the world uncontradicted. It was his (Dr. Bowring's) conviction that the power of Russia had been very much overrated. On paper her armies were doubtless immense, but she had never, even at the time when she struggled for existence, been able to bring more than 300,000 men into the field. The Nobles, too, were beginning to evince a desire for improvement. He felt for the situation of Poland, but would be sorry if the question of Polish independence were to be decided by whether the stipulations of a treaty, in which certain Monarchs bound themselves to maintain a particular constitution in Poland, had been complied with. He thought those rights rested on a much broader basis, and that she must look to the future for her restoration to liberty, when those more extended rights were generally admitted.

Mr. *Robinson* was very much inclined

to agree with the noble Lord the Secretary for Foreign Affairs that very little good was to be gained from re-opening this question between Russia and Poland, as he thought that it would have a tendency very different from that which the noble mover wished. He thought that a protest having been entered by the British Government against the proceedings of Russia with respect to Poland, the former had placed itself in such a situation as would enable it, whenever the occasion should arise, to avail itself of that protest in following it up. He would not enter into the general question, whether the league called the Prussian league was the result of Prussian influence exerted to favour Prussian interests, or whether it was the result of German interference. For his own part he was inclined to think that the noble Lord the Secretary of State was right in assuming that it was a German league; but he thought that the noble Lord was disposed to treat the objects of the league with too much levity. He regarded it as a German transaction: but it ought not to be forgotten that Prussia was enabled by the means of that system to increase the duty on British manufactures, not merely in her own territories, but also in all the other States of Germany, with the exception of Austria. He cordially joined in the hope that peace might not be broken. It was all very well for the hon. Member for Birmingham to talk about the anxiety of the people for war. Such might be the wish of the people of Birmingham, but they, probably, would not like the consequences of war, and would be the first to complain of the increased taxation rendered necessary by the cessation of a state of peace.

Mr. *Poulett Thomson* merely rose to say a few words relative to the sentiments which his hon. Friend who had just sat down entertained on the subject of the Prussian commercial league. How it had found its way into this debate was a mystery to him. His noble Friend who introduced it had, somehow or other, discovered that Russia was at the bottom of it. He had seen that opinion expressed in a remarkably absurd article appended to one of the numbers of the *Portfolio*, but he did not think that any one who really knew the bearings of the question could possibly conceive that it would be for the interest of Russia, even if she had the power to promote that confederacy, which, if it tended to any political results, as he believed it did, went to erect in Germany a power greater than any single state which now existed. The particular statement of the hon. Gentleman to which he wished to allude was, that Prussia had it in her power to raise the duties on our productions not only within her own dominions, but within those of all the confederate states. Now, with regard to the Prussian dominions, the direct contrary was really the case; and with respect to the other states, she possessed at present no greater power to do so than she had previously had. Formerly Prussia, unfettered by any engagements with her neighbours, had the power of regulating her own tariff as she pleased, and of raising or lowering the duties on foreign produce at will. By uniting in a league with other countries she had abandoned that power, because she could impose no additional tax, except by the common consent of all the parties to the treaty, and therefore, as regarded her, the power she possessed before was taken away, by the necessity of obtaining their concurrence. He believed, indeed, that this necessity of which he spoke was a serious disadvantage attached to the league, because the day might come when many of those countries would find it their interest to diminish, instead of to increase, the duties they now maintained; and it would not be in the power of any particular state hereafter to adopt that course, unless they could first obtain the sanction of the others to it. As the hon. Gentleman had referred to this subject, he would shortly say, that he considered this to be the chief disadvantage which could arise from the league, for he knew that the most unfounded reports had gone abroad, and been industriously circulated, with regard to the effects likely to be produced on our trade by the extension of that league. What was the real state of the case? Why, the Prussian tariff had been generally adopted by all the states of the Union, and if the different circumstances of the two countries were considered, the Prussian tariff would not be placed in a very unfavourable light when compared with our own. Although it was quite true that, in the arrangements consequent upon its adoption, some states had been under the necessity of raising their scale of duties, there were others which had been obliged to reduce their scale. He believed it would be found that, on a balance, when the average was struck, the duties throughout the whole of Germany had not been materially increased. Then, on the other hand, we had this very great advantage, that, whereas formerly we had to pass through five, ten, or fifteen Custom-houses to penetrate into the heart of Germany, now, when the border was crossed, our commodities circulated freely through all parts of it, and not only the heavy transit duties levied at the various Custom-houses, but the expenses arising from that tedious process, had ceased entirely. He did not say this by way of praising the Prussian system. We had considered that it was likely to be disadvantageous to us, and we had done what we could to oppose it. It had, however, in spite of us, been carried into effect, and he confessed he was not surprised at it, as the Germans were strongly in favour of it. There was nothing so inconvenient to them as that system which had formerly prevailed, when a constant succession of barrier and frontier Custom-houses presented impediments to internal traffic at every step. This he believed to have been one of the great considerations which swayed them in adopting the present system, so conducive to the accomplishment of that object which was dear to them—the generalization of the German people in all their social and moral relations. He must add that, although he had once inclined to a different opinion, and been adverse to the extension of the system, all that he saw of its practical effects had convinced him that his alarms were unfounded. He could refer to the experience of the last year, or of the last two years, to show that in the trade we carried on with the countries that had adopted it, there was an increase instead of a diminution, and that no greater disadvantage need be expected to arise than had formerly existed. His noble Friend had done him the honour to call his attention to what he was pleased to call the little value of our commercial position with respect to Russia. His noble Friend would believe that he should be most ready to attend to it, and that he was most ready to admit with him that the tariff of Russia was founded upon erroneous principles; and, though not intended to be injurious to us, based upon the absurd fiction of converting a great agricultural into a partially manufacturing people. He was well aware that that tariff was not favourable to us, but, at the same time, he must say that even upon that point there was some excuse for Russia. It was not until they had ceased to hope for the admission of their staple products into the United Kingdom, and until we had excluded their corn and timber, that a change prejudicial to our interests had taken place. But, notwithstanding this change, he believed that his noble Friend would find that most of those persons occupied in the commerce and manufactures of this country agreed with him (Mr. Thomson) in the view he took of this question—namely, that the trade with that empire was one which those parties would see disturbed with considerable regret. We drew from it articles essential for carrying on our manufactures, and it took from us in return British produce to a great extent. There was one consideration likewise which he thought would not be lost on his hon. Friend opposite, the Member for Tynemouth — that all the trade of Russia, with scarcely an exception, without any obligation, without any law or treaty binding her to that effect, was carried on in British shipping, to the exclusion of Russian or foreign vessels. When Gentlemen, therefore, spoke so glibly of war, and of the interruption of our commercial relations with Russia, he thought these things ought not to be overlooked. Now, did he urge this consideration as a reason why weightier considerations, involving the interests or the honour of this country, were to be neglected? No such thing. But he did not believe that the course pursued by some hon. Gentlemen, who had spoken in the debate, was likely to lead to the attainment of their end, though it might tend to produce another consequence, which they did not seem to deprecate, but which he should very much regret. He did not think it was by calling the Russians a great many hard names, by abusing their manners or their institutions, that we should be most secure of respect and deference. He did not think such a course suited to the dignity of the British nation. We ought to take our stand on our own honour and our own interests. If we were attacked in the one, or suffered in the other, let us be prepared to defend them; but let us not rush into useless discussion, which would serve only to create angry feeling and engender bitter enmity towards us in the breasts of those with whom we ought to be on friendly terms. By following this rule we should neither betray our honour nor our interests, and when the moment came in which we were called on to act, we should be better prepared to act. He was satisfied that the less minor and petty causes of grievance, were discussed, the less statements injurious to the honour of other countries were indulged in, the better we should be enabled to maintain our high position, and when a struggle arrived, the better able to meet it, and to meet it with dignity and effect.

Sir *Robert Inglis* was understood to say, that in the principles laid down by the right hon. President of the Board of Trade, he entirely concurred, but he had not expected to hear from that quarter such observations as the last words which fell from him. His right hon. Friend, near whom he sat, had, on the first night of the Session, stated that more than a common sense of interest ought to impel all the countries of Europe to the maintenance of peace—that they ought to be actuated by a common sense of moral obligation to do all in their power to effect a continuance of tranquillity, and he (Sir R. Inglis) felt that there was no man capable of estimating the value of that consideration who would hazard the provocation of war, by the indulgence of language, which, without effecting what we desired with respect to Poland, might tend to irritate Russia. He felt as deeply for the interests of Poland as any man, and while he concurred with the noble Lord, the Secretary of State for Foreign Affairs, in the reasons which induced him to withhold his consent to the production of the remonstrances addressed on the part of Poland to the Emperor of Russia, he trusted he should not be asking too much in imploring the noble Lord to lose no opportunity of reiterating those remonstrances whenever he could, not only to Russia, but also to Austria. He implored the noble Lord never to lose sight of the importance of testifying, not by idle demonstrations of war without the intention of carrying them into effect—not by a still idler recourse to bitter language in that House — but by proper and legitimate means—that we, as a nation, felt ourselves bound as far as we could to guarantee Poland that condition to which she was entitled.

Sir *Edward Codrington* said, he was fully persuaded that if the treaty of London had been carried into execution as it was contemplated, we should have had no war between Turkey and Russia, but Russia would now be in a very different situation. He could refer to a very voluminous book, called "the Greek Papers," from which it appeared that the Emperor of Russia made a proposition to the allies, that measures should be taken to force Turkey, if necessary, to an accession to the treaty, in order to put an end to the differences which prevailed. Had that proposal been carried into effect, he had no doubt that Turkey would have acceded to the treaty, but even if we had gone to the extent of declaring war, in order to force her, she would from that moment have derived much benefit from the settling of the question, and she would now be in a ten times better situation than she was. That proposal was made by Russia, as it appeared to him, in pure sincerity; for he did not see any advantage that could arise to Russia from deception. But even if she had ulterior views and expectations, still if the treaty had been carried into execution, as proposed by the Emperor of Russia, that nation would never have had a justification for making war upon Turkey, and we should never have witnessed the disasters which preceded the treaty of Adrianople and the subsequent treaties. In the first place he should have had to carry the greater part of that treaty into effect, acting as an English officer under the orders of the Secretary of State and the Admiralty. As he should have been in command of the three squadrons, by the proposal of the Emperor of Russia, it was impossible that Russia could have done anything contrary to the interests of England. Whatever might be the ulterior views of Russia, if England would only give her hand at this moment fairly and boldly to Turkey, every advantage would be gained for her and for England, and Russia would be prevented from making any further encroachments. If we should have occasion to meet Russia with respect to any encroachment upon our rights or dignities, we had only to give the hand to Turkey, and send forth the navy of this country, and we should place Russia in the situation she ought to be in. He wished as much for peace as any man. He sincerely trusted we should be able to avoid war, provided, at the same time, we could avoid it with honour; but let us not be so careless as to injure that arm by which our honour must be preserved. That arm required a little more attention than had latterly been paid to it. Our navy had, from motives of economy, been lowered beyond what was prudent or proper, and he hailed with pleasure the increase which was to take place in it; and he was sure that the cheapest and most honourable way in which the interests of the country could be protected was to have a considerable force ready for any emergency. With respect to the Prussian league, he hoped it was as innocent towards this country as Russia; but he was of opinion that it was a little more injurious to the interests of this country than the right hon. Gentleman the President of the Board of Trade thought. He saw in it more of policy than of mere commercial regulation. When Prussia had the power to levy taxes on all the other States, he did not see how they could refuse to assist her, if her policy required it. He thought there was more than the joint interests of Russia and Prussia concerned in it. He saw in it the means of augmenting the political interests of Austria. He hoped Austria would form an alliance with us, and enable us to resist the power of Russia, and to promote the mutual advantages of both countries, and he was sure the true way to effect that was by giving the hand to Turkey, for we had more opportunity of carrying into practical effect the reciprocity system with Turkey than with any other nation in Europe or Asia. Let it be recollected that Turkey had no custom-houses—that she levied no taxes upon our goods. Why then should we not adopt the same principle with respect to her, and thus promote our mutual advantage?

Viscount *Sandon* regretted that the noble Lord had not consented to produce the correspondence relative to the treaty of Hoonkiar 'Skelessi, because, without that correspondence, the treaty itself could not be understood in all its bearings. To the treaty itself he did not attach much importance, except in so far as it afforded evidence of the growing influence of Russia. If, in the year 1833, the noble Lord had not driven Turkey to rely on the assistance of so near a neighbour and perilous a friend as Russia, that empire would not now have occupied its present commanding position. Russia must always, from the mere circumstance of its proximity, have great influence over Turkey, and this was increased by the experience the latter now had that Russia was the only nation on whose assistance she could rely in time of need. His Majesty's Government did not seem sufficiently to appreciate the dangerous character of Russian influence. They seemed to place a high value on Russian alliance and Russian commerce. Perhaps they had not kept their eyes open to the increasing jealousy of Britain entertained by Russian statesmen. Perhaps they had not observed the tendency of commerce to flow back into some of its old channels, and to leave those which had brought such opulence and power to Britain. Were they aware that great part of the commerce of China and Central Asia was now carried on by means of caravans, which traversed the deserts that separated those vast and wealthy regions from Russia? Were they aware that from this cause the ports of the Black Sea were daily rising into importance, and that Trebisond alone already possessed a trade that amounted to the annual value of 1,500,000*l.* sterling? Russia had now possessed herself of the very key to that most valuable channel of communication between Asia and Europe supplied by the Euxine; she had, in defiance of treaties, occupied the outlet of the Danube, and actually exacted a toll on all vessels that now passed down that mighty river. Since Austria was at this moment actively engaged in spreading the advantages of steam-navigation on the Danube, and giving life and energy to the immense resources of Hungary, Transylvania, and the wide regions on either side of the Danube, he thought they would not appeal in vain to her native and natural dread of Russian aggrandizement. He entreated Ministers not to shut their eyes to the great importance of the outlet of the Black Sea. He had collected some information relative to the extent of our commerce in that quarter, with which, however, he would not at present trouble the House; but he would call their attention to this fact, that while Russia supplied us with raw produce and refused to take our manufactures in return, and while the shipping employed in our trade with that country had been diminishing for a term of years, the consumption of our manufactured goods by Turkey had been regularly and steadily increasing. He hoped that His Majesty's Government would exercise a more vigilant control over our relations with Russia and Turkey than they hitherto had done. He thought that when the fate of Poland was trembling in the balance, they had not exercised that severe vigilance over the interests and honour of England which the country had a right to expect at their hands. He was convinced, that Russia would not have proceeded to those measures of extermination which she had adopted with respect to Poland, had his Majesty's Ministers awakened the sleeping jealousy which Austria always entertained of the designs of Russia, and had they summoned France to aid us in vindicating those treaties to which she was as much a party as ourselves for the maintenance of the independence and integrity of Poland.

Mr. *Roebuck* did not concur in the opinion which had been expressed by the hon. Member for Birmingham, with respect to the feeling entertained by the people of England as to going to war. He did not agree in the opinions that had been expressed as to the interest which this country had in interfering with the foreign policy of other European nations. He knew the notion that prevailed as to the necessity of preserving the balance of power in Europe, and the duty of this country to interfere for that purpose, but in that political notion he did not by any means concur. He was well aware that this doctrine was not a popular one in that House; but, though it might be new there, it was not new outside of the House, and it was one which he was glad to perceive was very rapidly and extensively gaining ground. In considering the motion before the House, they might be led into a discussion which might, it was said, lead to a war. With respect to what had been said by the noble Lord who had introduced the motion, and by the hon. Member for Birmingham, as to the propriety of denouncing war against Russia, he certainly did not concur; but he equally differed from the moderate and cautious tone which the noble Lord who spoke on the part of his Majesty's Government had adopted, and who seemed to tell them that they should cower before the power of Russia; who would make them believe that they were afraid to talk outright, or to take a bold and fearless part whenever it should be necessary to vindicate the honour, the pride, or the national greatness of England. He did not certainly think that they should threaten Russia with denunciations of war; but he equally repudiated the notion that when they had anything to demand from Russia they should cower down before her. The true policy of England was always openly to avow that she would always be ready and determined to vindicate her interests in any part of the globe, whenever or wherever they were aggressed or encroached on. He trusted that they would never place reliance on any quarter,but that they would always firmly and proudly rely upon their own strength and their own national sense of justice. To act thus, and not to interfere in the policy of other nations, was the course which it was the interest of England to pursue. The doctrine, as he had already said, might be new in that House, but it was not new to the public; and they had a proud confirmation of its truth in the policy pursued by one nation, the most prosperous in the world, and which feared no competitor. Whilst it was the policy of England not to wish for war, it was her pride and her character to dread no enemy. But, suppose they were at war to-morrow with Russia, what would be the result? Why, in one single month, one Russian flag would not be seen to float in any sea in Europe, and in another month they would close up the commercial resources of Russia. Had they not before them the example of what had happened with the Emperor Napoleon? What was it that induced the Emperor of Russia to declare war with the Emperor of the French, and to commit himself against that great genius and all his gigantic powers, but that it was impossible for Russia to do without the trade and the commercial intercourse with England? Napoleon, carrying out the principles of his continental policy, attempted to exclude the trade of England; and the Russian monarch, at the head of the Russian aristocracy, felt that the possession of that trade was vital to the interests of Russia, and this it was that compelled Alexander, and that would and must compel any Czar, to go to war for the protection of this indispensable commercial intercourse. This, then, must be the result of a war between this country and Russia. One month would sweep the seas of every Russian flag, and another month would be sufficient to empty the treasures of the

Czar. His Majesty's Government seemed to speak as if they thought that in that British Parliament men should be afraid to speak their opinions touching Russia, lest they might excite the indignation of the Czar. What, were they in that House to fear to say what they thought of the conduct of the Czar towards Poland—to speak what they thought of the monstrous atrocities which, in the name of that Monarch, had been perpetrated upon an unfortunate and gallant people. Was that their sense of national justice and morality which the right hon. Baronet, the Member for Tamworth, had so properly described as an European feeling to shrink from reprobating the atrocities perpetrated towards Poland? Was he, as an individual, to fear to characterise conduct which justified them in designating the Russian Czar and his horde as a band of barbarians, inflicting vengeance on a gallant and devoted people; but, when he spoke this, was that any evidence of his disposition to go to war? They had a right to express their abhorrence of such conduct; but whilst they did so, it was their duty, as one of the great confederacy of European nations, to take care of their own interests, and let other nations take care of theirs. They had a right to exercise the moral influence of opinion; but it did not follow, as a necessary consequence, that for doing so they were bound to go to war. With regard to a war with Russia, he was not prepared to say what good or what mischief it might produce. With respect to any advantage that might arise to the state of Poland, he would not be led so much away by his feelings as to hesitate to express his opinions that a simple despotism would be preferable to that military aristocracy which in Poland ground down the people to the most abject state of dependence. With respect to the good that might arise, it was, at best, problematical; with regard to the mischief he was equally doubtful; but one thing was as clear as the sun at noonday, that the necessary consequence of a war with Russia would be to involve Europe in a general war. One of the evil results of a general European war would be to put a stop to that general improvement which was rapidly taking place throughout the different countries of Europe in the habits and manners of the people, and which improvement would be checked and impeded if anything arose to break up the general intercourse prevailing amongst the several European countries. If that intercourse were put an end to, that improvement, which was its result, would instantly be checked, and each nation would be thrown upon its own resources for improvement in the habits and manners of its people. He considered that a general war would be nothing else than a general calamity. He did not agree in what had been said on this part of the subject by the hon. Member for Birmingham. The true policy for a Government of this country to pursue with respect to foreign countries was to avow its determination, with honest frankness and courage to protect and maintain its own interests; to have no shuffling nor truckling; no protocolising or temporising; but as an English Ministry to avow their determination to consider as paramount to all other considerations the interests of this great country. Russia knew well her own interest. She knew well that it was not her interest to go to war with this country. It was her interest to throw round this country the net of diplomacy, and he cautioned his Majesty's Ministers not to allow themselves to be so surrounded with the meshes of diplomacy, so that they might too late find themselves unable to retreat with honour. The policy of England was not to trouble herself about the balance of power in Europe—she was as effectually separated from the continent of Europe by the channel that intervened as was the continent of America. During the power and greatness of Napoleon he had never been able to land a single French soldier on the shores of England, whilst this country, on the contrary, had in America, at the distance of 2,000 miles across the Atlantic, not only landed an army there, but absolutely burned down its capital. The naval supremacy of England was indisputable. There was no nation that could compete with her in her empire of the seas but one, and he trusted that the similarity of language, and the sympathies of a common union, would always keep those countries in friendly relation with each other, and enable them to laugh to scorn the combined power of any nations who might be opposed to them. If England preserved, as he trusted she ever would, her naval supremacy, there would be no occasion for vacillating policy on the part of those who told them to be moderate, nor for the enthusiastic policy of those who introduced the present motion, and who, under the pretence of maintaining the commercial intercourse of Great Britain, aimed a wound at Russia on account of the conduct that country had pursued to Poland. He would repeat, in conclusion, what he had insisted on throughout, that the true policy of this country was to see that her own interests were safe, and to endeavour, as far as was consistent with her power and interest, to preserve peace, as the consequence of a war between this country and Russia must be to produce a general conflagration amongst the different States of Europe.

Sir *Stratford Canning* differed from some of the doctrines which had been propounded, particularly that it was not the interest of this country to interfere to preserve the balance of power in Europe. He thought it would not be safe, at this time of day, to set out upon a new principle, and set aside that policy which had been the policy of this country for the last two centuries. It would have been hardly safe, after the peace of Europe had been broken up by the French Revolution, that we should have abstained from interference in the relations of Europe, and leave those great interests to be settled and determined by nations not always in harmony with each other. It was our duty to interfere. It was our interest to see that the balance of power was preserved. It was necessary that this country should interfere and see that the security of her own interests was preserved, as well, also, as to maintain the interests of those countries who had sided with her in the great struggle which had taken place. This was his opinion, and he felt quite certain that the opinions of the House would go with him upon that point. At that advanced hour he did not intend to trespass on the attention of the House at any length. What had induced him to rise at all was the reference that had been made to a country with which, in the course of the negotiations that had taken place, he had been connected. He felt the delicacy, in the situation in which he stood, of going into that part of the subject before the House. With respect to what had been said at the other side of the House, he certainly felt much pleasure at hearing that the policy of the Government would be to protect our interests, but, at the same time, as far as possible, to contribute towards the maintenance of peace. Peace was at all times desirable, but more particularly so at present, when a great expansion of our commercial intercourse was taking place, and which must of necessity be interrupted by the occurrence of war. The intercourse of the continental nations with this country was rapidly on the increase, and at such a time it was the least desirable that any interruption to the progress of that intercourse should take place, and it was for this reason that he felt gratified at the assurance given by the Government that their policy would still continue to be directed to the maintenance and preservation of peace. One object, to which he contended that they ought to pay particular attention, was the continued maintenance of a friendly connexion with Turkey. The sacrifices which Turkey had been called upon to make within the last few years, out of consideration to our wishes, gave her additional claims upon our consideration and friendship. It seemed to be the impression in the House, that the events of last year, coupled with the recent emancipation of the Greeks, had made a great change in the political position of Turkey. That those events had given great advantages to Russia, no man would be hardy enough to deny; but there were other events which had combined with them to destroy the ancient greatness of Turkey. Its former power and glory depended upon the religious enthusiasm which prevailed among the Turkish soldiery at a period when the military discipline of the warriors of Europe was not great. That religious enthusiasm had evaporated, and history presented no example of any nation which had once lost its military enthusiasm recovering it again. If, then, Turkey had any chance of becoming an element of opposition against the preponderating powers of the autocrat of the North, it must find that chance in the spread of civilisation amongst its population. In this respect he thought that the loss of the Greek provinces might be advantageous to Turkey, and might induce it to redeem the only chance of renewed vigour now left to it. As he had been engaged for many years in negotiations with the Porte, he could not refrain from expressing his gratitude to the noble Lord for the expressions which he had that evening used with regard to Turkey.

Mr. *Patrick M. Stewart* thought that

the great object of England ought to be to take care that Turkey was not left under the domination of Russia. The case of Poland formed a practical lesson with regard to the character of Russian policy; and he thought the noble Lord (Palmerston) was somewhat too confiding in that Power. In 1832, the noble Lord entertained the same opinion with regard to Poland which he had now expressed with regard to Turkey. The noble Lord said, on that occasion, that as to the idea of exterminating a large kingdom, either morally or politically, he had no apprehension that it could be effected. He (Mr. Stewart) would ask the House whether an attempt had not been made to exterminate Poland? He would also refer to what had happened at Warsaw, where a speech had been delivered which made all Europe weep; and he would again ask whether that attempt had not been made? As that speech had not been particularly alluded to, he would not dwell upon it further than to say, that while on the one side it was contended that it was one of calmness and sound policy, on the other it was stated to be the production of madness itself—that the pressure of two crowns on the same head occasioned a pressure on the brain, and that the speech in question originated from madness. The fate of Poland proved that England ought not to disregard the deep-laid duplicity of Russia. He said this in consequence of his being connected with the commercial interest, and saw the danger that would ensue if the Government did not adopt that course, by taking care that Russia did not steal a march upon this country. His opinion with regard to the trade of Turkey was, that it should be unfettered—that it should be thrown open to all nations, and that no duties should be imposed on the commerce between this country and Turkey. What had been the result of a more enlightened policy? Why, in the year 1827 the exports from this country to Turkey amounted to about half a million, whereas last year the amount was about one million three hundred thousand pounds. Be it remembered that even Napoleon, in spite of his celebrated Milan and Berlin decrees, the objects of which were to destroy the commerce of this nation, could do nothing with our ships nor with our colonies (for they had the spirit of the mother country and would not submit); but surely much of our success was owing to the steady alliance of Turkey. He agreed with an hon. Member who had preceded him as to the value of the Russian trade, but he would say with the hon. and learned Member for Liverpool that the balance was not on our side. In Turkey, on the contrary, it appeared that our finest manufactures were received, and every pound of cotton that went there was carried in British bottoms. The Black Sea, indeed, was the part to which we ought to look vigilantly, for if once sealed against us no power could open it to us again. With regard to that sea, Captain Middleton in his celebrated work declared it to be a sea without a hidden danger, but politically it was not so, and that was all he begged to urge upon the noble Lord and upon his Majesty's Government. It mattered not one farthing whether these papers were granted or not; but the House was much indebted to his noble Friend for bringing his motion forward. He would again urge the necessity of increased vigilance.

Mr. *Cutlar Fergusson* said, he rose to endeavour to persuade his noble Friend not to press his motion. In doing this, however, he would observe that no man could doubt for a moment his sincerity, when he declared that under other circumstances, at any sacrifice, he would grant the publication of the correspondence if it would lead to any beneficial result, but the time had gone by when it could be productive of good. With regard to his own opinions, whatever he had uttered in respect to this question, he would not recant one word; his feelings remained unaltered as to the treatment of Poland. With respect to Turkey, he would not admit that this country ought not to interfere except in questions purely British. Would it be said that it was right to stand by and allow one country to take possession of another? But he had sufficient confidence in the prudence, the liberality, and the firmness of his noble Friend to know that, if it became necessary (he hoped it would not), this country would be able to preserve the independence of that country, on which the independence of Europe mainly res ted

Mr. *Ewart* rejoiced that he had that evening heard those principles advocated in a British House of Commons which had been maintained in the United States of America. He regretted, nevertheless, the course which this debate had taken, and the speech of the hon. Member for Birmingham; but more particularly that of the hon. Member for Southampton, who had said that, instead of attending to questions of foreign policy, that House had devoted itself to paltry amendments in our institutions at home. The solid interest of this country was, he maintained, to preserve peace. He trusted that his Majesty's Government would so far consult the welfare of the country as to bear in mind that the interests of Turkey were identified with our own. The question for this country to weigh was, as the hon. Member for Bath had argued, not one of the balance of power merely. As long as we could maintain peace, he hailed it as the safeguard of improvements—the advancement of the liberal cause throughout the whole world—and the pledge of the advancement of civilisation.

Lord *Dudley Stuart* replied. It was not his fault if he had been compelled to dilate on the subject which he felt it his duty to bring before the House, for, of course, it extended as Russia herself extended her frontiers. He was not the advocate of war; but it did not therefore follow that he should not be the advocate of precaution. The best way to avert war was to be prepared to meet it. The hon. Member for Bath said, he had no fear of Russia. Neither had he, but still he thought it the best policy not to despise an enemy. He did not think the power of Russia so formidable as that this country should quail before it. If now it assumed a haughty tone he did not fear but we could crush it; but if we permitted it to seize upon the Dardanelles, and to destroy the independence of Turkey, it would then become formidable. Ministers could, if they pleased, in the strength of their power, withhold the documents which he sought for, but he did not think that they could consistently refuse them. When a motion was formerly made for the production of the treaty it was said by the noble Lord that it would not be fair to produce the treaty without the correspondence; but now the treaty was offered, yet the correspondence was refused. This proceeding was very unintelligible, and he hoped the noble Lord would accede to his motion.

The question was then put, when it was agreed to furnish the Treaty of Constantinople of July, 1833, but that of St. Petersburgh, of Jan. 1834, as well as the correspondence, were withheld.

HOUSE OF LORDS,

Tuesday, February 22, 1836.

Minutes.] Petitions presented. By Lord Shaftesbury, from Lewes; and by the Earl of Devon, from Exeter, against the Ecclesiastical Courts Bill.—By Lord Holland, from the Protestant Dissenters of the three denominations, for a Redress of Grievances.

Railroads.] Lord *Wharncliffe* had to present a petition on a subject which not merely concerned the agricultural interest, but which affected also those persons who resided in towns and cities. The petition related to the formation of railroads. Their Lordships must be aware that many bills for the formation of railroads had been introduced into Parliament, and the public attention had been strongly directed to this subject. The tenour of the petition which he rose to present was, that, inasmuch as railroads were projected in various parts of the country, it was important that they should be confined, as much as possible, to the line of the existing turnpike-roads. He did not approve of that principle, but he would suggest to noble Lords in his Majesty's Government that when a railroad bill came into that House, some inquiry should take place prior to its being read a second time, as to the line on which it was adviseable that such rail road should proceed. There were at present between Brighton and London no less than three projected lines of railway. Now, he apprehended that no man in his senses could suppose that more than one railroad was necessary between Brighton and London. According to the newspapers, however, the shares in all these undertakings were at a premium. This was a most extraordinary fact. He had himself considerable experience on this subject, having sedulously attended a Committee which sat for a long time to investigate the circumstances connected with a rail-road of very great importance. They had heard evidence for many days with reference to that railroad—evidence in many instances of a directly contradictory nature. Knowing, therefore, the difficulties by which the subject was surrounded, he would suggest to his noble Friend opposite, that a Committee should be appointed to ascertain, in the first instance, the best line that could be adopted for any given railroad; and which should take especial care that no proposition for a railroad should be countenanced if its projectors did not adopt the best possible line. He made these observations, because he felt that it was Government alone that could with propriety take up this important subject.

The Marquess of *Londonderry* wished to say a very few words on this question, as he was connected with a county in which those railroads had grown up in a most extraordinary manner. He alluded to the county of Durham. Five or six years ago, application was made on this subject to Parliament, and one individual particularly exerted himself on the occasion. He succeeded in his attempt to carry a railroad bill. Two or three years afterwards, some opposition having been given to his plan, he got up another railroad, parallel to that which he had first projected; and, strange to say, the same individual had again succeeded in forming a third railroad. Here, then, were three railroads running nearly parallel to each other. Of the first—the Stockton and Darlington railroad—he believed the profits were much overrated. The shares were perhaps at par. With respect to the second, it was entirely bankrupt—and Government would find it necessary to take possession of it. As to the third, he believed that it would never pay. Such was the situation of three railroads projected in the county of Durham. Was it possible, he would ask, that these railroads were projected for the public service, when they had turned out such miserable speculations as he had described? No—they were got up merely that certain joint-stock companies might reap advantage. The consequence of this system was, that the estates of gentlemen were rode over in every direction. It was now proposed to create a great northern railway to Edinburgh, which should pass through the county of Durham. This might be very desirable, as the bill for forming a great Western Railroad had passed; and he should be inclined, indeed he should be most anxious, to support it, as beneficial to the county of Durham. But a certain party by whom the Stockton and Darlington railway had been projected, preponderated in the county; and that party, which was composed of Quakers, insisted that the Northern railroad should come out near the Darlington and Stockton railroad, by which they would be enabled to give, for a profitable consideration, a portion of their railroad to the Great Northern railroad. The individual who represented a portion of Durham in another place (and who was a member of that religious persuasion to which he had alluded) brought forward this plan, in order that a great part of the Darlington and Stockton railway might be available for the grea Northern railway. Others, however, denied that such was the true line, and that the Great Northern railway should enter Durham in such a manner as to render available a great portion of the Clarence railway. Thus they had one party contending for the Darlington and Stockton line, and another for the Clarence line. Now, unless his Majesty's Government, seeing those difficulties, came forward with some general principle as to the formation of railways, the greatest mischief and confusion must follow. There was really, at the bottom of these railroad speculations, a strong desire to serve private speculating interests, but nothing whatever for the benefit of the public. That was entirely lost sight of. He thought much good would be effected, first, if the compulsory clause—obliging individuals to give up their property when experiments of this kind were made, whether they would or not, were to be omitted in future; and next, if it were enacted, that after a certain period, the capital and interest of money expended on such undertakings having been paid, the railways should revert to the public. This, in his opinion would check the rage for speculation.

The Marquess of *Lansdowne* entirely agreed in the observations made by the noble Lord (Wharncliffe), both as to the importance of the subject, and as to the necessity of its being taken up by Government. He was of opinion, that when Bills of this description were introduced, some preliminary or some concurrent inquiry ought to be instituted—there ought to be placed before them the evidence of some impartial authority—before they were allowed to proceed. He undoubtedly felt very strongly the necessity of taking this course, because this was not a case of individual interest merely, but one so general and extensive in its operation, that the Government of the country was bound to notice it. The immense magnitude of the capital required for these projects, and the various and important consequences, connected with them, which affected every branch of industry throughout the country, called for the most serious consideration. This would appear at once, when he stated to their Lordships, that even at the present moment there were applications before the other House of Parliament, for carrying into execution projects for railways, which involved the expenditure of little short of 40,000,000*l.* of money; certainly between 35,000,000*l.* and 40,000,000*l.* Entertaining this opinion, which, he believed, was supported by the concurrent opinion of their Lordships, he was happy to state, that this very day a proposition would be made in another place, having for its object to refer the consideration of the subject to a Committee. That Committee, after receiving proper information, would report their opinion to Parliament on the important subjects that would be referred to them, and the public would thus have a certain security that nothing would be recommended but that which, upon examination, appeared to be intrinsically good.

Petition laid on the Table.

ECCLESIASTICAL COURTS.] Lord *Abinger* presented four petitions from Norwich and places in Norfolk against that part of the Ecclesiastical Courts Consolidating Bill which confines the taking out probate of wills to the proposed Central Court in London.

Lord *Wynford* said, if there were no other objection to the clause than that which related to the expense which parties would be put to in taking out probates of wills, it could not be maintained; because he believed that, in point of fact, the expense would be less, if the probate were taken out in London, than if it were taken out in the counties.

The Bishop of *London* said, much attention had been paid to this subject by the Ecclesiastical Commissioners, of whom he had the honour to be one, and there was a strong impression on his mind that the expense of taking probate in London would certainly be less than it would be if sought for in those inferior courts.

Lord *Ellenborough* said, there was a great deal of the bill of which he entirely approved; but he undoubtedly thought it advisable to preserve, for the general convenience of individuals, the right which they now possessed, of taking probate of wills in the different counties, instead of being obliged to visit London for that purpose. There would, at the same time, be no great difficulty to preserve in London a general index. He thought that the Committee on the Bill, which would follow the second reading, might take its general provisions into consideration, but that this particular part of the measure ought to be referred to a Select Committee. They would have a fair opportunity for devising a proper remedy in the case to which the complaints of the petitioners referred. He should either now or hereafter propose such a committee, and would in the mean time put their Lordships in possession of the names of the noble Lords. His Lordship then read the names of those whom he wished to form the Committee.

The *Lord Chancellor* was most anxious that this subject should undergo mature consideration. At the same time he felt it right to state, that he conceived it to be impossible that any inquiry which might be made could lead to the result which the petitioning parties wished for. Several reports had been made on the subject of the ecclesiastical law; they had been submitted to their Lordships' consideration; and they all agreed in the necessity of this specific alteration. This point had commanded the serious consideration of the Ecclesiastical Commissioners. The subject had been, in fact, before the Commissioners for one whole year. Some of the Commissioners thought that it would be wrong to leave to the local court the right of granting probate. This, however, was met by a contrary opinion, which was held by other members of the Commission. The subject was, therefore, much considered; and it was at last found, that the preservation of this convenience was utterly unattainable, concurrently with the consolidation of the Ecclesiastical Courts which was contemplated. It was never contended that these local courts should exist for the purpose of deciding serious questions—whether, for instance, wills were valid or not, or whether individuals, in disputed cases, should be allowed to take out administration to estates. Then came the difficulty which attended applying for probate in a court which had not the power to decide ultimately on the matter litigated. If the claim were contested, all the expenses incurred in the local court, which could not decide the matter, were entirely thrown away. Even after probate granted, all the expense incurred might turn out to be useless. Thus, if probate were granted in one diocese, and the deceased person had possessed property to the amount of 5*l.* or 10*l.* in another diocese, the local court, which allowed probate, having no jurisdiction in the latter diocese, its proceedings were worth nothing, and the money expended was lost. Another difficulty was, as to where the parties, who might wish to oppose an application for probate, were to address themselves. There must, if the old system prevailed, be at least twenty-six courts, one in each diocese, and a party might find it extremely difficult to discover in which of these application for probate had been made. Suppose the rule to be, that probate should be applied for in the court of the diocese where the party died. In many instances, persons having an interest in the property might not be able to discover exactly where the individual died. This subject had been laboriously investigated by the Ecclesiastical Commissioners, by the Real Property Commissioners, and by a Committee of the House of Commons, and their decided opinion had been, that it was impossible to effect a due improvement in the Ecclesiastical Courts, leaving to the local courts the power of granting probate. If they looked to the large dioceses, they would find that it was more difficult to proceed there than it would be to apply to a central court in London. He would refer to the diocese of Lincoln, and he would ask how much more easy would it be for a party interested to receive information from London, if a central court were established there, than it could be procured in the former place.

Lord *Denman* expressed a hope that this measure would be passed without delay, and that all the differences which seemed to exist on the subject should be reconciled. Some arrangement, he thought, might be made for having an index in the country without interfering with the general probate in London. Never was there a measure which came so recommended to Parliament. His noble and learned Friend who now sat on the woolsack was the third Lord Chancellor who had taken up the principle of this Bill. The recommendations of the Commissioners who were appointed to inquire into this subject (and whose generous sacrifice of the patronage which they enjoyed, in order to promote the object of such a measure as the present ought never to be forgotten) were embodied in a measure which had been introduced by his noble and learned Friend (Lord Brougham) who sat on the woolsack in the year 1833, and the principle of that measure had never been lost sight of by any subsequent administration to that of which the noble and learned Lord was a member. Sir Frederick Pollock had introduced a Bill into the House of Commons, similar in its nature to the present; and the present Attorney-General had also brought forward a measure, of which the Bill then under their Lordships' consideration was a transcript. He might, perhaps, be allowed to add, that the present Bill embraced one of the many great improvements which were brought under the consideration of Parliament in the year 1828 by his noble and learned Friend, to whom he had already alluded, in his luminous and comprehensive view of the changes in the law which were then required. Great benefit had already resulted from the adoption of one of those suggestions in the courts at Westminster, and he hoped they would be productive of still further advantages; but there were certainly none of these advantages greater than those which this Bill was calculated to effect, and than it would effect, he trusted, in a very short time.

The petitions were laid on the Table. The Bill was subsequently read a second time and referred to a Select Committee, which, on the motion of Lord Ellenborough, was appointed.

HOUSE OF COMMONS,

Monday, February 22, 1836.

Railways.] Lord *George Lennox* presented petitions from Worthing, Shoreham, and other places in favour of the London and Brighton (Stevenson's) Railway.

Viscount *Sandon* wished upon this subject to put a question to the right hon. Gentleman the President of the Board of Trade. Holding as he did himself petitions for several railroads in his hands, which he should have to present to the House to-morrow, he was anxious to extract from the right hon. Gentleman a definite answer as to the course which it was intended to pursue with regard to railroad bills in general. He wished to know from the right hon. Gentleman whether he was prepared on the part of the Government to suggest some course for the consideration of railway petitions and bills, by which the House would be enabled to have all such cases, especially those of rival lines, fully and completely investigated, before it came to adjudicate and decide in favor of any particular bill. He (Lord Sandon), without entering on this occasion into the subject of railways generally, would content himself with putting that question to the right hon. Gentleman.

Mr. *Poulett Thomson* said, that it was not his intention to submit to the House any proposition on the part of the Government for preferring one line of railway to another, or even for pointing out any rule for the adoption of the House on the subject. It was his intention, however, in the course of the evening, to submit to the House the propriety of appointing a Select Committee to consider the best means that might be adopted by the House, or by the Committees sitting on railroad bills, for giving information to the House upon various points connected with the different railway bills that might be brought before the House. He had taken upon himself to propose this course to the House in consequence of the conversation that occurred some nights ago on the subject. It appeared to him that a strong impression then prevailed as to the necessity of adopting some mode of proceeding generally applicable to all those railway speculations which might be brought under its consideration. Many Gentlemen suggested different courses for adoption; but it seemed to him, and his own views had been confirmed by conversation with several Members since, that the principal point then in discussion would be best settled by a Committee up stairs in the first instance; their decision, of course, to be subject to the subsequent consideration and adoption, if it should so think fit, by the House. His proposition then was, not that they should refer any particular railway or railways to any particular Committee, or that they should point out any particular course for Committees to follow with regard to railways, but it simply was to obtain the attendance in a Committee up stairs of those Gentlemen who took most interest in this important subject—he did not mean an interest in railroads, but in the good conduct of railway bills through that House, who might thus have the opportunity of deciding upon the various suggestions that might be laid before them, and who, he hoped, would be finally enabled to propose a plan to the House more worthy of its adoption, and which would tend more to secure a beneficial result than any resolution that might be moved, or any particular plan that might be brought forward by any individual Member of that House. As he knew that considerable misunderstanding had gone abroad on this subject, he was most anxious to state that his object in moving for this Committee was not to refer to it the plans of any particular line or lines of railways—his object in proposing it was, that the Gentlemen composing the Committee should merely lay before the House some recommendation by which their course of proceeding with regard to railways should be guided, subject, of course, to the approbation of the House. It was his opinion that the House of Commons itself should interfere in this matter. He had therefore ventured, with that view, to put a notice on the notice-book of the House. He had done so as a Member of the Government, because he believed that the Government was to a certain degree responsible for the good conduct of those railway speculations through Parliament; and, also, because he thought that the proposition thus brought forward would be more favourably received by the House. Having stated so much in answer to the question of the noble Lord, he begged to add, that he thought, if it were intended by the House to adopt his proposition for the nomination of a Select Committee, it would be very desirable that the second reading of all railroad bills should be postponed for a short period. He thought that the Committee which he should propose would be able to report in, at the most, four or five days. As he had already said, the object of that Committee, as far as he contemplated it, would be merely to chalk out the rule that the House should adopt for the guidance of their future proceedings with respect to railways; and it was most important that no railway bill should be read a second time until that matter was settled. The delay required, as he had stated, would not be great. He would suggest, therefore, that the second reading of all such bills fixed for that night should be postponed for only eight days; and in the meanwhile the report of the Select Committee might be prepared and laid before the House. He did not imagine that any inconvenience could arise from such a short postponement of the second reading of these bills. The Select Committee that was to be appointed might lay down certain rules applicable to such private bills before they were read a second time, and it might require that additional information should be afforded to the House previous to their passing that stage. Now, if the bills that stood for that night should be read a second time, any such decision of the Committee would obviously be of no avail, as regarded them, as they would have been in the mean time referred to the List Committees.

Colonel *Sibthorp* was gratified to hear the right hon. Gentleman admit that the Government was responsible for the good conduct of railway bills. Every attorney's clerk should not be allowed to bring in a railway bill, and then go about canvassing Members for its support.

Lord *George Lennox* said, that notwithstanding what had fallen from the right hon. Gentleman, he should persist in moving the second reading of the London and Brighton Railway Bill. He thought that the greatest injustice would be done to individuals by postponing the second reading of this Bill for eight days. He could not conceive what object could be gained by such a postponement. It should be recollected that the Bill, after it was read a second time, could not go to a Committee for ten days. By delaying the second reading for eight days an advantage was given to rival parties, and an opportunity afforded to them to oppose the Bill. It was exceedingly hard that parties should be thus thrown back after they had complied with all the standing orders and rules of the House regarding the introduction of such Bills. If they allowed this Bill to go to a Committee, he (Lord G. Lennox) was sure he should be able to show that Stevenson's line was the best that could be adopted. The noble Lord concluded by moving the second reading of the Bill.

Viscount *Sandon* quite concurred in the view taken of this matter by his right hon. Friend, and he would advise the House to pursue the course which his right hon. Friend had pointed out for its adoption, especially as where there were contending parties for a railway the Committee might point out the best plan to be pursued. In the present case he understood that there were no fewer than seven different schemes. Now was there any means at present for the House to decide as to which of those schemes best deserved adoption? He was anxious that the House should be supplied with such means, and therefore he should vote for the appointment of the Select Committee. He was, for his own part, inclined in favour of the proposition of the hon. Member for Lancaster — that railways having the same termini should be all referred to the same Committee, but that was a point for the Select Committee to decide. He begged leave to move as an Amendment, that the second reading of the Bill be postponed till that day se'nnight.

Mr. *Gisborne* was of opinion that the proposition of his right hon. Friend would be one of the most violent proceedings that the House of Commons had ever adopted. His right hon. Friend had put a notice on the notice-book. He came down to move, but previous to doing so he proposed that the second reading of a number of Railway Bills which stood for that night should be postponed. Now, was it just towards the parties who had come down there prepared to have their bills read a second time to be thus put off for eight days? Such a delay tended to inflict a serious injury on them, by giving their opponents, where there were rival plans, a longer opportunity for petitioning against them as not having complied with the standing orders. These railway bills, if read a second time that night, would not go into Committee for ten days. His right hon. Friend's Select Committee could report in the space of four days. Why, then, should such a delay be interposed in the way of the progress of these bills? He certainly should divide the House on the Bill, the second reading of which he had to move that night. He would support the second reading of the noble Lord's Bill, and he hoped the noble Lord would support his also.

Sir *James Graham* said, that upon public grounds he most entirely concurred in the sentiments that had been expressed by his right hon. Friend opposite, the President of the Board of Trade. When they took into consideration the number of those bills that had been already introduced, the number that was still likely to be introduced, and the amount of capital—not less than 45,000,000*l.* he understood — that was about to be embarked in such speculations, he was sure that it would be admitted on all hands that the subject was one of the highest importance, and well worthy of the attention of the Government and of that House. It was to be remarked, that with regard to all other public works they had well framed standing orders; but as regarded railroads, the standing orders relating to the construction of canals had been rudely and and imperfectly made to fit railroads. Their standing orders on that point had not been carefully considered or properly settled, and it was therefore well worthy the consideration of the House whether the whole subject should not be referred to the adjudication of a select Committee, such as that proposed by his right hon. Friend. So far from looking upon the postponement of the second reading of the railway bills at present before the House as unadvisable, he (Sir J. Graham) should like to see the progress of all railway bills postponed for an entire session. He should like to appeal from the country drunk to the country sober. There seemed to exist at present a perfect mania for speculations of this description. He thought it extremely likely that one of the recommendations of the proposed select Committee would be, that some additional information should be afforded to the House before the second reading of any of those bills. It was therefore important that the present bills should not be read a second time until that Committee had made its report. The Government had only discharged its duty in bringing this matter before the House.

Lord *Granville Somerset* could not concur with his right hon. Friend in thinking that all railways—no matter how great their commercial importance—no matter how beneficial they might be to the community at large—should be postponed for an entire Session. He must say, that he viewed with great suspicion the proposition for putting off the second reading of the railway bills which stood for that evening. That delay gave to rival opponents the opportunity of making still greater opposition. He thought that it would be a great hardship on parties where there was no rival line, and where they had complied with all the standing orders, to be put off in this way for another week.

Mr. *Clay* said, that on ordinary occasions it was not judicious to oppose the second reading of a private Bill, as it was only by referring Bills of that description to a Committee that they could be properly investigated and adjudicated. In this particular case, however, he would oppose the second reading of the Bill, concurring as he did entirely in the view taken of the matter by the right hon. Gentleman the President of the Board of Trade. The Government had done its duty in bringing the whole subject under their consideration, and in endeavouring to provide the House, which was now quite at sea without compass or chart, with some general and pervading principle to direct it in its future adjudication of schemes of this nature. It so happened, that in one of the parishes of the borough which he had the honour to represent, there were no less than sixteen of those schemes afloat that would seriously interfere, if carried into execution, with private property there. In the parish of St. Mary, Whitechapel, there were no less than 1,284 houses and tenements scheduled to be taken down. The House might judge of the alarm and excitement that prevailed there in consequence, and that single fact proved how necessary it was for the Legislature to interfere at once in the matter, and to see that the public interests should not be injuriously or capriciously affected by such speculations.

Mr. *Charles Barclay* said, that he should not consider himself precluded by voting, as he intended to do, for the second reading of this Bill, from assenting to the proposition of the right hon. Gentleman for the appointment of a Select Committee. He was glad that the Government had taken this matter up. It was absolutely necessary, not only for the protection of the country at large against the effects of wild schemes and improvident speculations, but for the protection of the speculators themselves against their own folly, that the House and the Government should interfere. He would suggest to the right hon. Gentleman the propriety of the Committee laying down some such rule as this—that no Railroad Bill should be passed without 5 per cent. of the estimated expense being previously vested in Exchequer Bills, which would be some security to the public that the project would be completed. Such a condition would inflict no hardship on good *bonâ fide* speculations, and it would save the country from those of an opposite character. If the House acted with proper caution with respect to the passing of those Railway Bills, many of them would be productive of incalculable advantage to the country.

Sir *Robert Peel* regretted much he had not been present at the commencement of this discussion. When this subject was before the House on a former night, it appeared to be the prevalent impression that the present mode of conducting private bills respecting railways was not satisfactory. He was one of those who thought that railways were most important for the welfare and maintenance of the commercial eminence of this country, but at the same time it was impossible to deny that they interfered greatly with private interests, and that private interests often suffered to a great extent from their being carried into execution. Of course, the principle that private interests must yield to the interests and convenience of the public was in this, as in other analogous cases, indisputable; but private parties so affected had a right to demand from Parliament its special consideration of each case, and its conviction, before deciding in its favour, that the projected speculation was really calculated to promote the public interests. That was due as well to the interests of the public as to those of private individuals. On a former night the hon. Member for Middlesex had remarked, that the House was too much occupied with those private bills, and he had suggested that some other tribunal should be appointed for deciding on them. He apprehended that great objections existed to the adoption of any such proposition as that. He could not, for instance, conceive any other tribunal that could be appealed to in the last resort, except that House, to decide as to the public utility and advantage of such an important undertaking as a railroad from London to Birmingham, and what amount of private property should be sacrificed in carrying it into execution. That was his objection to transferring business of this sort—business of the highest importance—from the House of Commons to any subordinate tribunal. On the other hand, he did not like to be called upon to vote in favour of the second reading of a bill which went, as bills of this description did, to call upon individuals to make a large sacrifice of their private property, without any knowledge whatever of the facts of the case, and without possessing the slightest evidence as to the practicability or utility of the project in question. He felt that strongly when, last Session, he was called on as a Member of that House to vote in favour of the Great Western Railway. It had been suggested that railway bills which had two common *termini* should be all referred to one Committee. The difficulty there would be to select from the rival Committees the one to which the whole of the bills should be referred. He, therefore, concurred with the right hon. Gentleman opposite in thinking that a Select Committee should be appointed to consider, without delay, what course it was most expedient to pursue in this matter. He should certainly vote for the appointment of such a Committee, as he agreed entirely in the main principle of the right hon. Gentleman's proposition. It appeared to him that the following, amongst other recommendations, might be usefully adopted by that Committee, and laid before the House as one of the rules for its future guidance—namely, that the List Committees, to which private bills of this nature were in the first instance referred, should, instead of making a mere barren report that the standing orders had been complied with, present a report, giving to the House information as to the nature of each particular speculation, the number of shares in each, the amount paid up, the probable grounds of success, the number of landowners through whose property the proposed railway was to pass, the number that had given their consent to the measure, and the data on which the calculations as to the final success of the project were founded. The House would then have something like satisfactory grounds on which to found its decision when called on to assent to the second reading of a bill of this description. It appeared to him that the Committee proposed by the right hon. Gentleman might report in a few days, and till that report was presented the progress of all railway bills before the House should be suspended. He was not hostile to any of those speculations; on the contrary, there was one in which he was himself interested, but it must abide the fate of the others, and await the Report of the Select Committee that was to be appointed.

Mr. *Poulett Thomson* explained, that his object was to obtain necessary information, and the Committee would consider the best mode in which the whole subject could be treated. He agreed with the right hon. Baronet that Parliament ought to be the court of last resort, and also in the view taken by the right hon. Baronet as to the points which the right hon. Baronet thought should be comprised in the reports to be made by List Committees on particular railroads. It might, however, be desirable that the House should be put in possession of some information previous to the second reading, and before it allowed the parties to embark on the wide sea of speculation, and, therefore, it was that he was desirous that the second reading of such Bills as stood for that night should be delayed for a week. He did not believe that any material inconvenience, or any great additional expense, would arise from this delay, whilst it was certain, that the information the Committee would be enabled to collect and to bring before the House would be of the greatest advantage in the consideration of all measures of this description. He was not unfriendly to the great works to which these bills related; but, at the same time, he felt bound, from the situation which he held in the Government, to take care that the capital of the country was not improvidently or unwisely applied. It was upon this ground that he had felt it his duty to suggest to the House the propriety of appointing a Committee, to consider of the most fit and proper mode of proceeding upon all bills of this description, and likewise of interposing some delay in their further proceedings upon them. For his own part, he thought it highly expedient that the House should overlook the inconvenience of a short delay, in order that the subject might be well inquired into, and all the suggestions of different Members of the Committee attended to and considered. He hoped, therefore, that the House would consent to postpone the particular Bill now under their consideration, and that he should afterwards receive their sanction for the appointment of a Committee.

Mr. *Herbert Curteis* should feel it to be his duty to support, on principle, the proposition for postponement. It was of the highest importance that the House should not be hurried into untimely decisions upon bills of this description. One or two other lines of railway to Brighton had been projected independently of that contemplated in the present bill. Why, then, should they blindly proceed to read this bill a second time, when afterwards they might very possibly discover that it would have been better to adopt one of the other plans.

Mr. *Ewart* hoped that the only object of his right hon. Friend (Mr. P. Thomson) in moving for the appointment of a Committee was, to give information to the House and security to the public. In dealing with subjects of this description it should always be borne in mind, that whilst on the one hand it was the duty of Parliament to protect the country against dangerous speculations, so on the other hand it was also its duty to leave to the public the benefit of free competition. He was prepared to support such measures as would give information and security; but beyond that he would not go. He should strenuously oppose anything that appeared to him to approach an undue interference on the part of Parliament.

Mr. *Harvey* remarked that the truth of the proverb which said "the race is not always to the swift," appeared to be as applicable to the members of that House as to the world in general. He (Mr. Harvey), only a few nights ago, had made a proposition to the House of a similar description to that now suggested by the right hon. President of the Board of Trade; but it was then treated with indifference—as a matter of no consequence or importance whatsoever. He was glad, however, to find that the suggestion which he had originated had been taken up by the Government, and that the right hon. Gentleman was prepared to adopt a step which should put a check upon inconsiderate speculation, and enable the House to give a due consideration to all measures of this description. All that he regretted upon the present occasion was, that the right hon. Gentleman had not yet found time, although it was a matter which came strictly within the business of that department of the Government over which he presided, to give to the subject all the consideration it required, and was therefore compelled to ask for a week to consider of his plans. He thought that the right hon. Gentleman could not require so long a time, if he applied himself to the matter with reasonable industry. He trusted, therefore, that the right hon. Gentleman would be prepared to state his plans on Thursday next.

Mr. *Patrick M. Stewart* thought that if the House interfered at all in bills of this description, it ought to be before the second reading, in order to protect the public against the severe inconvenience that would attend the promulgation of more than one line of road. As regarded the present bill, he should vote for suspending the second reading until some general plan of proceeding were adopted.

Sir *James Graham* had two suggestions which he wished to offer to the House. First, if a postponement were to take place for eight days, he would suggest that in the interval, with respect to this particular bill, no petition should be received on the ground of a suspension of the standing orders; and secondly, if at the end of the eight days the second reading should be agreed to, then the House should go into Committee upon it at the end of three days. Whereas if the Bill were read a second time to-day, the House, agreeably to the standing orders, could not go into Committee upon it until after the lapse of ten days. Thus, if his suggestions were adopted, the parties would be left in precisely the same situation as if the bill were read a second time to-day.

Mr. *P. Thomson* said that if the postponement were allowed, it should of course be understood that the committal of the bill should follow the second reading at the end of three days. If, upon a division, the House should determine that the second reading of this bill should be deferred for eight days, he hoped that all the other bills relating to railways, which stood for a second reading to-night, would be considered as being included in the decision.

Lord *George Lennox* repeated his determination to press the second reading of the bill on the present occasion. Great inconvenience and much injury would result from the proposed delay, unless, indeed, he were assured, that in the interval which it was proposed should elapse before the second reading, no proceeding should be allowed on the part of those who were opposed to the bill. A public meeting had taken place at the Town-hall, at Brighton, at which Sir J. Rennie's plan was declared impracticable, and consequently abandoned. Subsequently Mr. Stephenson's plan, the plan embodied in this bill, was taken up; and now that it was brought before Parliament, Sir J. Rennie suddenly started up with his rejected plan again; and the consequence of the postponement of the second reading of the present bill would be to enable Sir J. Rennie to introduce his plan to the detriment of Mr. Stephenson. If it were understood that during the postponement, Sir J. Rennie should not be allowed to take any step, he should not object to the amendment; but unless such an understanding were distinctly entered into, he must now press the second reading.

Captain *Alsager* felt entitled to say a few words, because he had charge of the second bill for a railway to Brighton. He thought that this second bill had a fair claim to the favourable consideration of the House, because in fact it was only a continuation to Brighton of a railway for which he last year obtained a bill, and which was to run from London to Croydon. In the course of a few days he should have petitions in favour of the second bill from Brighton, Lewes, and Reigate. In the meantime he hoped the House would not consent to the second reading of the bill proposed by the noble Lord.

Sir *John R. Reid* thought the better plan would be to postpone the consideration of the question for a few days. He had a petition to present from very respectable persons, both from Epsom and Ewell, in favour of the line of road by way of Riegate, which was considered by them, and in which he concurred, the best line of road.

The House divided on the question that the Bill be read a second time. Ayes 75; Noes 271—Majority 196.

List of the AYES.*

Attwood, Thomas
Bagshaw, John
Baillie, Col. H.
Barron, Henry W.
Barry, G. S.
Berkeley, Hon. F.
Berkeley, Hon. C. C.
Biddulph, Robert
Bish, Thomas
Blake, Martin Jos.
Bonham, Francis R.
Bridgman, Hewitt
Buller, E.
Burrell, Sir C. M., Bt.
Campbell, W. F.
Chapman, M. L.
Chichester, J. P. B.
Cole, Hon. A. H.
Cripps, Joseph
Dillwyn, L. W.
Duncombe, T. S.
Eaton, Richard J.
Euston, Lord
Ferguson, Sir Robert
Finn, Francis
Fitzgibbon, Hon. R.
Freshfield, James W.
Gisborne, T.
Gore, O.
Goring, Harry Dent
Grey, Hon. Charles
Guest, J.
Hall, B.
Harland, W. C.
Hawkes, T.
Hay, Sir A. Leith
Henniker, Lord
Hope, Henry T.
Houldsworth, T.
Hoy, James Barlow
Hurst, R. H.
Jervis, John
Leader, J. T.
Lynch, A. H. S.
Macleod, R.
M'Taggart, J.
Moreton, Hon. A. H.
Mosley, Sir O., Bart.
Nicholl, J.
O'Connell, M. J.
Parry, Colonel
Potter, R.

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* This is the first division in which the names of the Members dividing were taken down, according to Mr. Ward's plan (see *ante* p. 562.), and regularly entered in the votes of the House. The lists henceforth, except one or two, when the House was in Committee, which case was supposed not to be provided for by Mr. Ward's Resolution, may be relied on.

Russell, C.
Ruthven, Edward
Sanford, E. A.
Scholefield, J.
Scourfield, W. H.
Scrope, G. P.
Sheldon, E.
Sinclair, Sir G.
Smith, J. A.
Somerset, Lord E.
Somerset, Lord G.
Strickland, Sir Geo.
Stuart, Lord D.
Stuart, Lord James
Surrey, Lord
Thornley, T.
Tooke, William
Twiss, Horace
Villiers, Frederick
Whalley, Sir S.
Winnington, Capt. H.
Wood, Matthew
Wrottesley, Sir J. Bt.

TELLERS.

Lennox, Lord A.
Lennox, Lord G.

List of the NOES.

Adam, Admiral
Aglionby, H. A.
Agnew, Sir A., Bart.
Ainsworth, P.
Alsager, Richard
Angerstein, John
Anson, Sir George
Ashley, Lord
Astley, Sir J.
Bainbridge, E. T.
Baines, E.
Baldwin, Dr.
Barclay, David
Barclay, Charles
Baring, Francis T.
Baring, T.
Baring, H. Bingham
Barnard, E. G.
Beauclerk, Major
Beckett, Sir J.
Bentinck, Lord G.
Bethell, Richard
Bewes, T.
Blackburne, John
Bodkin, J.
Borthwick, Peter
Bowes, John
Bowring, Dr.
Brady, D. C.
Bramston, T. W.
Brodie, William B.
Brotherton, J.
Bruce, C. L. C.
Brudenell, Lord
Buckingham, J. S.
Buller, Charles
Buller, Sir J.
Burton, Henry
Byng, G. S.
Calcraft, J. H.
Callaghan, Daniel
Campbell, Sir H.
Canning, Sir S.
Cartwright, W. R.
Castlereagh, Visc.
Cavendish, Hon. C. C.
Cavendish, Hon. G. H.
Cayley, Edward S.
Chalmers, Capt. P.
Chaplin, Thos.
Chapman, M. L.
Churchill, Ld. C. S.
Clay, W.
Clerk, Sir G., Bart.
Clive, Edward Bolton
Clive, Visc.
Clive, Hon. R. H.
Colborne, N. W. R.
Cole, Lord
Collier, John
Compton, H. C.
Conolly, E. M.
Cooper, A.
Corry, Hon. H. T. L.
Cowper, Hon. W. F.
Crawford, W. S.
Crawford, W.
Curteis, Herbert
Curteis, Edward B.
Darlington, Earl of
Davenport, John
Divett, E.
Duffield, Thomas
Dundas, J. C.
Dundas, Hon. T.
Dundas, Hon. J. D.
Egerton, Wm. Tatton
Egerton, Lord Fran.
Ellice, E.
Elphinstone, H.
Entwistle, John
Estcourt, Thos. G. B.
Ewart, W.
Fector, John Minet
Ferguson, Sir R.
Ferguson, Robert
Ferguson, G.
Fergusson, R. C.
Fielden, J.
Finch, George
Fitzsimon, Chris.
Fitzsimon, Nicholas
Fleming, John
Forbes, Lord
Forbes, Wm.
Forster, Charles S.
Freemantle, Sir T. W.
Gaskell, Daniel
Geary, Sir W. R. P.
Gladstone, Thomas
Glynne, Sir S. R.
Gordon, Robert
Goulburn, Rt. Hon. H.
Graham, Sir J. R. G.
Greene, Thomas
Greisley, Sir R.
Grey, Sir G.
Grote, G.
Halford, H.
Hallyburton, Hn. D. G.
Halse, James
Hanmer, Sir J., Bart.
Harcourt, G.
Hardy, John
Harvey, D. W.
Hawkins, J. H.
Hayes, Sir E. S. Bt.
Heathcoat, John
Hector, C. J.
Herbert, Hon. Sidney
Hindley, Charles
Hobhouse, Sir J. C.
Hodges, T. L.
Hogg, James Weir
Holland, Edward
Hope, Hon. James
Hoskins, K.
Howard, P. H.
Howard, Hon. E. G.
Howick, Viscount
Hughes, Hughes
Hutt, W.
Horsman, T.
Jackson, J. D.
Jephson, C. D. O.
Ingham, R.
Inglis, Sir R. H., Bt.
Johnstone, J. J. H.
Jones, W.
Irton, Samuel
Kearsley, J. H.
Kemp, T. R.
Knatchbull, Sir E.
Knight, H. G.
Knightley, Sir C.
Labouchere, Henry
Lambton, Hedworth
Langton, Wm. Gore
Lawson, Andrew
Lee, John Lee
Lees, J. F.
Lefroy, Anthony
Lennard, T. B.
Lewis, David
Lister, E. C.
Loch, James
Long, Walter
Lowther, J.
Lushington, S.
Lushington, Charles
Lygon, Hon. Col. H. B.
Mackenzie, J. A. S.
Macleod, R.
Mahon, Lord
Mangles, J.
Marsland, H.
Martin, J.
Maule, C. Fox
Maxwell, John
Methuen, P.
Mordaunt, Sir J., Bt.
Morpeth, Viscount
Mostyn, Hon. E. L.
Murray, John Arch.
Musgrave, Sir R. Bt.
Nagle, Sir R.
Norreys, Lord
O'Connell, D.
O'Connell, John
O'Connell, Morgan
O'Connell, Maurice
O'Connor, Don
O'Loughlen, M.
Ord, W. H.
Paget, Frederick
Palmer, Robert
Parker, M. E.
Parker, John
Parnell, Sir H.
Parrott, J.
Patten, John Wilson
Pattison, James
Pease, J.
Pechell, Capt.
Peel, Sir R. Bart.
Pelham, Hon. A.
Pemberton, Thomas
Pendarves, E. W.
Perceval, Col.
Philips, Mark
Pigott, Robert
Pinney, William
Plumptre, John P.
Pollington, Visc.
Pollock, Sir Fred.
Poulter, J. S.
Powell, Colonel
Power, R.
Poyntz, Wm. Stephen
Price, Richard
Pringle, A.
Pryme, George
Pusey, Philip
Reid, Sir J. Rae
Rice, Right Hon. T. S.
Rickford, W.
Ridley, Sir M. W.
Robarts, Abraham W
Robinson, G.
Roche, D.
Roebuck, John A.
Rolfe, Sir R. M.
Ross, Charles
Russell, Lord John
Ryle, John
Sanderson, R.
Sandon, Lord
Scarlett, Hon. R.
Scott, Sir E. D.
Scott, James W.
Seale, Colonel
Seymour, Lord
Sheppard, Thomas
Sibthorp, Col.
Smith, Robert V.
Smith, A.
Smyth, Sir G. H., Bt.
Stanley, Edward

Stanley, Lord
Stanley, E. J.
Steuart, R.
Stewart, Patrick
Stormont, Lord
Strutt, Edward
Stuart, W. V.
Tancred, H. W.
Tennent, J. E.
Thomson, C. P.
Thompson, Paul B.
Thompson, Col. P.
Trelawney, Sir W.
Trevor, Hon. G. R.
Troubridge, Sir E. T.
Tulk, Charles A.
Tynte, C. J. Kemeys
Vere, Sir C.
Verner, Colonel
Vesey, Hon. Thomas
Vivian, J. H.
Wakley, T.
Walker, C. A.
Walker, R.
Wall, Charles Baring
Wallace, Robert
Walpole, Lord
Warburton, H.
Wason, R.
Welby, G. E.
White, Samuel
Wigney, Isaac N.
Wilbraham, B.
Wilks, John
Williams, W.
Williamson, Sir H.
Wilson, M.
Wodehouse, E.
Wood, Charles
Wortley, Hon. J. S.
Wrightson, W.
Young, G. F.
Young, J.

TELLERS.

Hume, J.
Ward, Henry George

Second reading postponed for eight days.

A Committee to consider the subject was appointed.

COMMUTATION OF TITHES ENGLAND.] Sir *E. Knatchbull*, previous to the order of the day being proceeded in for the second reading of the Tithes Commutation Bill, wished to suggest to the noble Lord opposite the propriety of postponing the second reading of the Bill.

Sir *Robert Inglis* also recommended the postponement.

Lord *John Russell* said, that his object was to have the Bill, with the whole of its provisions and amendments, printed before it went into Committee. It would be a fortnight to-morrow since he had stated fully to the House the outline of the measure. He had had a great many reports from different parts of the country, and had received various letters from Somersetshire and other counties, stating the opinions of different classes of people on the measure he had proposed. He did not, therefore, think it could be fairly said that its provisions were wholly unknown, either to the House or the country. He certainly thought sufficient time should be allowed before the House resolved itself into a Committee of the whole House on the Bill. He should fix such a time as he thought would be convenient to the House; but should it be considered that the interval he proposed was not long enough, he could have no objection to postpone the Committee to a future day. There was a great deal of business before the House. The Irish Municipal Bill was fixed for Friday, and on Monday the Government were anxious to bring forward the estimates; he, therefore, did think it very desirable that the second reading of the Bill should not be postponed. He wished to make the Bill as complete as possible before it went into Committee; and if there were now a delay of a week or ten days, they must, after the second reading, encounter an additional delay of a fortnight, without any object being gained.

Mr. *Benett* thought there was no ground whatever for the postponement which had been suggested. Such of his constituents as he had had the opportunity personally to explain the provisions of the Bill to, at once understood it. He had had a conversation respecting it with one beneficed clergyman, who had stated that he considered its provisions most favourable to the clergy. He (Mr. Benett) was for paying the utmost regard to the interests of the tithe owners; but he rather doubted whether the provisions of the Bill were not more favourable to them than justice demanded.

Colonel *Thompson* said, he was in favour of any course which would tend to allow sufficient time for the consideration of this great measure. If the commercial and manufacturing interests have demanded that the commutation of tithe awarded by the Commissioners should be vested entirely in a money-rent, he thought that powerful portion of the community, between whom and the manufacturing interests there certainly was a frequent collision, would have said they were hardly treated, and that it was not altogether fair that the whole weight of that powerful body (the Church) should be thrown on that side which would operate against the agricultural interests. Still the manufacturing interests had a perfect right to demand something in their favour; and what he should suggest would be, whether it would not be possible to decide that there should be an equal division of the point in dispute, *i. e.*, by deciding, in the case of tithes,—that the commutation granted should be half vested in a corn-rent (as proposed by the present Bill), continuing the other half in a money-rent, which, he considered, would be the easy and proper mode of disposing of the question.

Mr. *Pemberton* observed, that the difference, as he understood, between hon. Members was not so much respecting the mere principle of the measure, strictly considered, as the extent to which that principle might be carried. In his opinion the Bill did not go far enough; he was, therefore, more a Reformer than the noble Lord; and the question of extent involved the whole principle of the measure. He thought that the time which had elapsed since Saturday was hardly enough for the consideration of a measure so important, and which it was necessary should be examined, with the view of seeing whether it really afforded fair ground for an expectation that under it a commutation of tithes could be effected. By the Bill, as it stood, both parties, if they happened to concur, might avoid commutation, or one, being hostile to the other could insist on commutation. To make commutation voluntary or compulsory ought to be the principle of such a measure; the extent, then, involved the principle; he thought the Bill did not go far enough. They were all agreed that facilities should be given for commutation, but it was most material to inquire what the opinion of the parties interested was to the probable effect of the combination of the voluntary and compulsory regulations in bringing about the commutation of tithes. For these reasons he thought it would be advisable to postpone the second reading until that which really constituted the principle of the Bill was fully known and considered.

The *Chancellor of the Exchequer:* As the hon. and learned Gentleman not only assented to the principle of commutation, but also admitted that the principle was adopted in the Bill, he thought they were in full possession of his authority in favour of the measure. The only practical way of bringing the hon. and learned Gentleman's argument to issue, was by a discussion in Committee. It was impossible to occupy time advantageously in the discussion otherwise than in Committee. Surely every argument which could be adduced in favour of the Bill being printed and circulated throughout the country, was an argument in favour of the second reading, his noble Friend having distinctly stated that his object was to have the Bill printed.

Sir *Thomas Freemantle* was for the postponement of the second reading, on the ground that hon. Members had not been able to obtain a sufficient number of copies to send to their constituents. When he said this, he begged it to be understood that he had no wish to delay the Bill; being, on the contrary, favourable to its provisions.

Sir *Matthew White Ridley* thought there was a necessity for immediately going into a discussion of the Bill. He had received a letter that day, the writer of which expressed an opinion which, though by no means flattering to the noble Lord opposite, as the framer of the Bill, he should state to the House. "The Bill (observed his correspondent) reflected no great credit on its framers; it contained much that was highly objectionable. This would, no doubt, be corrected when the Bill went into Committee; and, therefore, the sooner the principle of it was discussed and disposed of the better." In that opinion he (Sir M. W. Ridley) entirely concurred.

Mr. *Goulburn* wished to know whether it was the noble Lord's intention to enter into a discussion of the principle of the Bill at that moment; or whether he wished it to be read a second time merely for the purpose of supplying some omissions in it.

Lord *John Russell* was anxious to have the Bill read a second time as soon as possible, as there would be then more time to consider its details with all the attention they deserved. He did not pretend to say, in reply to the objection which had been read by the hon. Baronet opposite, that the language in which the Bill was drawn was strictly in accordance with Parliamentary custom and usage in such cases. The form in which certain provisions of the Bill had been submitted to the House might, no doubt, be altered. He claimed not the merit of being able to draw up Acts of Parliament in strictly technical phraseology, for he knew it was a task of very considerable difficulty, requiring a great deal of practice and experience. In this respect, he doubted not, but that improvements might be effected. Nor did he mean to contend that there were not omissions in the Bill which might be supplied when it went into Committee. But to the principle of the Bill he adhered. Nor was he disposed to consider the propriety of admitting any alterations into its main provisions until it had gone into Committee.

Sir *Robert Inglis* wished to know whether, if the Bill were now read a second time, the noble Lord would regard that second reading as merely *pro formâ*; or was he disposed to think that in permitting it to advance this stage, the House was pledging itself to the principle of the measure? Before resuming his seat, he begged to disclaim being bound by the opinion expressed by the hon. Member near him (Mr. Pemberton); and he wished it might be understood, that in addressing that House, that hon. Member was expressing merely his own opinion, to which those who sat upon the same side with him were in nowise bound.

Lord *John Russell* thought it would be an extremely inconvenient practice, if a Bill were read a second time, and it was to be considered that the House had not affirmed its principle. In the present case, if the House permitted the Bill to be read a second time, he should certainly assume that, in doing so, they had affirmed the general principle—that there should be a commutatation of tithe into a rent-charge. But whether the general principle should be carried further—whether that commutation should be compulsory or voluntary—was another question to be decided after farther discussion. It was by no means at variance with the principle of the Bill that the commutation should be wholly compulsory, and it would be for the hon. Member, who thought it ought to be so, to show that, after the House had affirmed the general principle. The hon. Baronet opposite was, no doubt, as well prepared at the present moment to enter into a discussion of the principle of the Bill as he could be if the second reading or the affirmation of its general principle were postponed to some future day, as the " ancient and venerable" arguments with which the hon. Baronet would oppose it, had been for a long period marshalled in the hon. Baronet's mind, and frequently stated to the public.

The order of the day for the second reading of the Bill was read, and the question put, that the Bill be read a second time.

Mr. *Greene* said, that the parties should not be left to themselves to settle their own disputes as to commutation; the Legislature should seek to frame a regulation calculated to prevent disputes. It would be unjust to have a partial instead of a general commutation in parishes, by which the different holders on lands in the same parish would be placed in different circumstances with regard to the method of valuing tithes. With respect to the appointment of Tithe Commissioners, he perfectly concurred in the propriety of establishing that provision, in order that an uniformity might be preserved in the system; for if it was a sufficient foundation for the appointment of Poor Law Commissioners, that the administration of the Poor Laws was different in different parishes, that observation applied with even greater force to the case of tithes.

Mr. *Lennard* expressed some doubt whether it would not be found necessary to alter that provision of the noble Lord's Bill by which it was proposed to take the average of the last seven years as the basis for the commutation of tithes. Prices had been much higher on the average within the last seven than within the last twenty months, and, therefore, unless it could be shown that tithes had fallen in a corresponding ratio, or that prices were likely again to rise, it would be unfair to take that average as the standard of valuation. He hoped an inquiry would be instituted into this point, as it would be very unfair that the landowner should be permanently charged with a higher rate of payment on a higher rate of price for the produce of his land than he had received. There was another point to which he wished to advert—namely, the adoption of the two different sums of sixty and seventy-five per cent. as the *minimum* and *maximum*. He thought it would be much better to ascertain what was a fair deduction to be made, otherwise the grasping and exacting tithe-owner would be placed in a much better situation than the indulgent and considerate owner of tithes. This Bill was called in the country " the Clergyman's Bill," and there were some provisions in it which fully justified that appellation. The Bill provided, that if the tithe-owner had allowed his tithe to be in arrear two years, he might obtain the whole of those two years' arrears from the party charged with the payment of tithe. Now, this placed the tithe-owner in a better position than the landlord stood in at present, for if a creditor entered upon the land of a tenant and took his goods in execution, the utmost claim which the landlord could make was for one year's rent, but under the provisions of this Bill, if the landlord or any other creditor entered upon the land, the tithe-owner could claim two years' arrears of tithes. If, then, they put the tithe-owner in as good a situation as the landlord with regard to his rent, they would do all that the justice of the case required. He admitted the great importance of having this question settled, but when the House looked at the great responsibility which the landlord was to take upon himself, it became them to be very careful in looking into the details of this Bill. It was very probable that the Corn Laws would soon be repealed, and it was quite obvious, that unless prices were kept up by some other means than those now in operation, the landlord would be placed under very great disadvantages, and therefore they ought to watch this Bill, lest they should be subjected to unfair incumbrances, particularly when the commuted payment for tithes was proposed to be the same, whether agriculture was flourishing or not. He hoped the Bill would not be pressed forward with any undue haste, but that abundance of time would be given for the full consideration of its details.

Mr. *Benett* agreed with his hon. Friend, the Member for Maldon, in calling this measure the Clergyman's Bill ; but still it was a just and honourable Bill, and was founded on sound principles. He presumed his hon. Friend called this the Clergyman's Bill, because it did justice to the tithe-holder, and it was on this ground he (Mr. Benett) agreed in the propriety of the term. He also agreed with his hon.Friend, that there was something obscure in that part of the Bill which related to taking the amount of tithes at between sixty and seventy-five per cent. of their valuation. He believed that the valuation was to be taken on the gross amount of the average of the last seven years, and twenty-five per cent. was to be remitted for the cost of collection and other incidental expenses. He was sure that all the English surveyors who knew anything of the subject would admit that twenty-five per cent. was rather too low than too high an estimate of the charge of collection. The Bill then would give to the clergy, as well as to the lay-owner of tithes their extreme value, and they probably would, under its operation, receive more than they did at present. As to the variation of fifteen per cent., his hon. Friend should remember that it was quite impossible to be accurate in everything. There were different modes of collecting tithes adopted in different parishes, and consequently there was a great difference in the expenses of the collection, and that variation of fifteen per cent. was to make an allowance for the variation in the cost of collection. Now he, as a landlord, who had nothing to do with the collection of tithes, but much with the payment of them, was quite satisfied with this Bill, for it was, he repeated, a just and honest one. He was, however, of opinion that the commutation should be permanent and compulsory. With respect to the effect and objects of the commutation of tithe, it was designed not to benefit the landlord, but to promote the welfare of the country at large. There were large tracts of waste lands which had hitherto been left unreclaimed solely owing to the injurious operation of the law of tithe, for no man would lay out 20*l.* upon the improvement of land if he was obliged to pay 5*l.* for leave to lay it out. He was satisfied with the measure, and in his opinion it ought to be well received by the whole of the country.

Mr. *Pemberton* said, that the great object of the measure was to effect with certainty and with unanimity the commutation of tithe for a permanent rent-charge. He thought that the Bill of the noble Lord ought to secure at least this great advantage, but it appeared to him, that so far from finding in this measure any certainty in effecting this object, it would at the end of the five years looked forward to by the Bill, and ten times five years, be quite problematical whether one-half the land subject to tithes would have been at all affected by this Bill. He had stated some time back, that if the principle of compulsion was to be adopted in carrying this measure into execution, it should be the compulsion of the Legislature, and not of individuals. The Bill before the House professed to effect the commutation of tithes in one or other of three several modes. The first mode was by means of voluntary agreements between the tithe payer and the tithe receiver. The second mode proposed was by agreements entered into by certain proportions of the tithe receivers and the tithe payers, so as to be binding upon the whole. And the third method suggested was by the interposition of the tithe commissioners themselves, in case such interposition should be called for by either of the parties not coming to an agreement amongst themselves. With regard to the proposed voluntary agreement between the tithe owners and the land owners, the law as it at present stood enabled such parties not only to effect a commutation of tithes for a rent-charge, but, what was still more important, it enabled them to secure an absolute and permanent commutation. So also in the case of incumbents of parishes and other individuals having only a partial interest in tithes, the present law enabled them to make agreements for composition without the aid of the machinery of this Bill, or the expense and trouble of setting that machinery in motion. With regard to the second plan contained in the provisions of this Bill, it ought not to be forgotten, that the right to receive tithes was in many instances divided between the rector and the vicar of the parish; and he (Mr. Pemberton) should be glad to know whether it was the object and intention of the clause for carrying into execution this second portion of the scheme that the rector possessing three-fourths of the tithes should have the power of binding the vicar, who is entitled to one-fourth, and also whether such an agreement so brought about was designed to be binding upon all persons interested in tithes, whether tithe payers or tithe receivers. He did not understand why three-fourths of a body of tithe owners should be allowed by their acts to bind the remaining one-fourth of the same body; but he maintained that if this principle (whether objectionable or not) were asserted at all, it ought to be asserted to the fullest extent, namely, to the carrying tithe commutation against even the wishes, to a certain degree, of both tithe owners and tithe payers. He, however, did not apprehend that the clause to which he now referred was either very important, or that it would be likely to lead either to any great advantage or any decided prejudice, but the clause was followed by another, upon which much reliance had been placed by the noble Lord at the Head of the Home Department, and who had held out the expectation that from its provisions tithes in kind would in a short time have no longer existence. The provision of this clause was, that the Commissioners might interpose at the instance either of the tithe owner or the tithe payer, and it must therefore be assumed that to either the one party or the other the commutation was a matter of interest to be effected. This was, however, in his opinion a most fallacious assumption, especially in those cases where the incumbent tithe owner had already made his own arrangement with the tenants on the land. It could not be denied that there would be a vast number of cases in which, from the age, the infirmities, and from other circumstances, the existing incumbents of parishes would not be willing either to take the trouble, undergo the labour, or incur the expense of endeavouring to effect a permanent arrangement, which arrangement would not come into operation until after death had removed him, or them, from the possibility of deriving any benefit from it. Look again at the multitude of cases which would arise in parishes under lay patronage, where the incumbent was not likely to act against, or to adopt, any course contravening the wishes of his patron, by claiming the provisions of this Bill. Again, in the instances of landowners absent from this country, or of minors, or even of lunatics, and indeed in several other cases it would frequently occur that trustees, guardians and committees would not only hesitate, but decline to interfere and bind their principals; and thus these feelings would, in multitudinous cases, prevent the Bill being carried into execution. Under such circumstances, he begged to ask the House if it were desirable to effect a commutation of tithes in the manner provided by these latter clauses of this Bill. The Bill professed to establish harmony, but he would inquire whether it was possible to devise a measure more calculated to destroy harmony of feeling and produce dissent, than one which gave the power of compelling one reluctant portion of the parties interested to accede to the wishes of the other perhaps smaller portion; and it was proposed by this Bill to establish peace, whereas its provisions afforded the best means of destroying peace. In short the Bill would require some radical alterations in order to make it effective in respect of the objects it professed to have in view, and it was the duty of the State to effect that object in a manner least inconvenient both to the payer and to the receiver of tithes. He admitted that it was desirable that commutation should be effected, but he thought that the system of commutation proposed would be disadvantageous, combining the evils of both the compulsory and voluntary systems, without possessing any of the advantages of either.

The *Solicitor-General* observed that the real question now before the House was, whether or not the provisions of the bill now under consideration were calculated to effect its scope and object. From the argument and reasoning in this respect of his hon. and learned Friend who had just sat down, he felt himself under the necessity of wholly and entirely differing. In treating upon this question, it was necessary to look at the history of measures which for this same object had been previously introduced to the judgment and consideration of the legislature. The measures brought forward in the Sessions of 1833 and 1834 had failed under circumstances to which it was not necessary further to allude. Those measures were followed by the Bill introduced last Session by the right hon. Baronet, the Member for Tamworth, the objection to which was, that if passed it would have been still-born, and proved a complete dead letter in the Statute Book. It was a measure merely permissive—it was left wholly to the voluntary feeling of parties interested in tithes. The measure itself had a sort of obscurity which would make individuals prefer the present evils to the care of its doubtful provision. Every person likely to be affected by such a measure as that—a measure which did not enforce immediate commutation, but tacitly, as it were, held out an intimation that if it were not acted upon some other more compulsory measure must follow it—would rather take his chance of being compelled by some subsequent measure than immediately avail himself of that. It therefore became the duty of any person introducing a measure in the present day for the commutation of tithes to make the commutation either wholly voluntary or compulsory on the parties. As, however, the principles of this Bill would in all probability be misunderstood, it would be perhaps desirable that he (the Solicitor-General) should very shortly state the objects it proposed to effect. In the first place it was clear that the first step to be taken in framing such a Bill must be to afford parties agreeing to a commutation the means of carrying it into effect. That, accordingly, was the first object of this Bill. He (the Solicitor-General) had listened with great deference to what had fallen from hon. Members on the other side on this subject, and he could not see what possible danger there could be in allowing to parties agreeing between themselves to commute tithe, the means of carrying the commutation into effect, provided certain necessary precautions were taken. The hon. Member for Lancaster had made an objection of which he (the Solicitor-General) confessed he could not see the importance. It was said that the consequence of this facility to persons desirous of effecting a commutation would be so to confuse the boundaries of properties as to make it extremely doubtful what land was or was not subjected to a commutation. But this appeared to him (the Solicitor-General) to be an objection to the present system also, and one which could not well be obviated. It was one already in operation. Then what was the next step to be taken by the framers of a Commutation Bill? Why, to afford the means of effecting the commutation in cases where the majority of a parish desired it in opposition to the minority. This was upon a principle so universally recognised, that of the larger portion of a community governing the smaller, that there could be no doubt of its justice; and it seemed to him (the Solicitor-General) that the mode proposed, in this instance, by the Bill was the most reasonable that could possibly be suggested. There was yet one step further to which the proposers of this measure proposed to go. It was that if either of two parties desired a commutation, the other being averse to it, then that the party so desiring it should have the right to compel the other to come into the arrangement, due care being taken that the matter was fairly conducted. This was the general principle on which the Bill was constructed. Now it certainly did appear to him that his hon. and learned Friend (Mr. Pemberton) was somewhat inconsistent in his argument on this point of the Bill. His hon. and learned Friend had actually intimated his intention of opposing the second reading, not because the Bill went too far in this respect, but because it did not go far enough. His hon. and learned Friend must allow him to contrast with his opinion that of the hon. Member for Wiltshire, who had had a thirty years' experience of the operation of tithe, and who had stated that the mode here proposed was a just and equitable mode, and one, moreover, which would meet with a general acquiescence. Thus it would be seen that he differed materially from his hon. and learned Friend in the view which he had taken of this measure. He next came to the observations of the hon. Member for Maldon. The hon. Member seemed to have fallen into an error when he objected that the effect of taking the average of the last seven years would be to arrive at too high an amount, as the price of corn during those years would be found to be higher than if an average of the last twenty years had been taken. It appeared to him (the Solicitor-General) that the hon. Member was mistaken in this view, for, taking the average of that seven years, it would be found that if during the first part of the time the prices were high, during the latter part of the time the prices were low, and the average therefore would be as fair an average as any that could be had. The question of the number of years was one of detail, and consequently one for the Committee —the principle of average would be the same. The hon. Member had another objection, which was, that the amount of the commutation should be calculated on the amount of rent actually paid, not on the amount agreed to be paid, without allowing for that which was thrown off; but the hon. Member would find that there was a corrective power in other clauses of the Bill which made it unnecessary to answer the objection. The principle of average was that on which the commutation would be calculated, and by it the proportion of each tithe payer would be regulated. There was one objection which had been repeatedly urged by the right hon. Baronet, the Member for the University of Oxford, which was, that it was perfectly monstrous to ask the clergy to accept 60*l.* where they were entitled to claim 100*l.* It appeared to him (the Solicitor-general) that this objection proceeded from the right hon. Gentleman not having sufficiently considered the nature of the right of the clergyman to the 100*l.* Was not the right hon. Gentleman aware that the only condition upon which the soil was generally made to yield produce enough to make the 100*l.* one tenth of the whole, was that the clergyman should actually take a less sum than that which would nominally be due to him? This principle was, in point of fact, actually in operation in most of the estates in the kingdom, and, if that were the case, it did away with the injustice of asking the clergyman to take a less sum than that to which he was nominally entitled. These appeared to him to have been the main objections to the ill, and they certainly appeared to] himo be objections to the details entirely, and not to the principle. It was beyond the power of legislation at once to meet all the objections which could be raised to a measure, or at once to provide a certain and universal remedy, by positive enactment, for every anomaly which might have existed; it was enough if the measure grappled boldly with the main question. This the present measure was as fair a one as could be drawn, and he therefore hoped to see the motion for the second reading pass unanimously.

Sir *Robert Inglis*: As the hon. and learned Member who had just sat down, and the hon. and learned Member who had preceded him in the debate, had severally alluded to him in the course of their observations, he felt himself bound to trespass for a very few minutes on the attention of the House. His noble Friend had said that he desired to maintain the ancient and venerable rights of the Church. He thought those rights as venerable as law, and as ancient as justice, and he hoped ultimately to have the support of all those in the country whose opinions he respected, even though he might now stand alone in those extreme opinions which were attributed to him. The hon. and learned Member had said that he was in error in complaining that the clergy should be called on to receive 60*l.*, when they were entitled to 100*l.* He maintained, however, that such a proposition was unjust. The hon. and learned Member had said, that it was only owing to the clergy taking less than the sum they were nominally entitled to that the amount of produce, which produced that nominal sum, was yielded; but he would ask the hon. and learned Member into whose pocket he proposed that the difference should go? Whether he intended that the amount should go to the landlord or to the cultivators? Every legal contract entered into for the payment or commutation of tithe went on the supposition that the Church was entitled to one-tenth of the produce, and by what right was it that this principle was now proposed to be set aside? He objected to this measure because it was compulsory, and because it proposed to be immutable. They had no more right to deprive the clergy of their right to tithe than they would have to deprive him of his ground-rents. He might be told that in the cases of Canal Bills private property was sacrificed to the public good; but he would reply that in those cases the owners of property had their claims decided on by a Jury well-chosen, and prepared to give them the full amount of its value, not to deprive them of nearly one-third of it. If in the case of private property the Legislature would not lend itself to an act of spoliation, why do so in a case where the property of the public was concerned? This was his objection to the principle of the Bill—he should state his objections to the details on a future occasion. There was one suggestion, however, which he would make to the noble Lord, as regarded the mode in which the commutation was to be effected. Would it not be better, instead of arriving at once at a fixed amount or average of previous years, to make the commutation depend on a progressive calculation, alterable and renewable from year to year?

An *hon. Member* said, that the right hon. Baronet seemed to have omitted from his calculation the expenses of collection, which frequently amounted to from 25 to 40 per cent. [" *No, no.*"] Those who were not practically acquainted with the subject might perhaps say " no," but the fact would be found to be as he had said. It appeared to him that the real grievance of tithe had not been stated to the House. The evil was, that a person who had not laid out a single farthing in the cultivation of the land should be entitled to come in and claim the tenth of its produce—that one-tenth frequently amounting to the whole profits of cultivation. Let the House suppose the case to be that of the manufacturer—let a manufacturer expend an immense sum on the erection of machinery and the purchase of stock, and then be liable to the clergyman for one-tenth part of his manufactured goods; how would he be able to bring his goods to market? In France tithes had been entirely swept away. In Spain they were going very fast. In Austria, too, they were beginning to go. But in this country the landlords and cultivators were willing to compromise the matter on fair and equitable terms. Still, when they were granting the clergy a permanent annuity on the land, they, the landowners expected that some liberal allowance would be made; and, indeed, unless some such liberal allowance were made, the landed interest never would be satisfied with any measure of commutation. He intended when the Bill went into Committee to propose a reduction in the average on the seven years. He was satisfied that imposing a rent charge would have the effect of increasing the value of tithe property. Instead of twenty-four or twenty-five years as much as twenty-seven or twenty-eight years' purchase would be obtained for it as soon as it became permanently fixed on the land, on account of the additional security that would be given: and, therefore, he must say, the Bill was in this respect highly advantageous to the tithe-owner. He wished that the question of redemption had been left out of consideration altogether, and it was his intention, when they got into Committee, to propose an Amendment, for the purpose of preventing any redemption of the commutation to be effected under this measure.

Sir *Edward Knatchbull* hardly knew how to address himself to what had fallen from the hon. Gentleman who had just sat down. Those who were hurt least cried out the most, and this he believed to be the case with the hon. Gentleman. Now, it was his (Sir Edward Knatchbull's) wish, and, he trusted, the desire of every hon. Member in that House, to give to the clergy their full rights. To do justice to the clergy must, he felt persuaded, be the object which all parties had in view. But while they did this, while they gave the tithe-owner that which was his due, surely it was not unreasonable that they should, at the same time, afford some relief to the landlords. He would not go into any lengthened discussion of the details of this measure on the present occasion, as it was not, as he before expressed, his intention to offer any opposition to the second reading. He should reserve what he had to say until he had an opportunity of communicating with his constituents on the subject, because he thought it only right that, before any objections were raised against the Bill, the feelings of that part of the constituency which would be chiefly affected by its provisions with respect to it should be ascertained. There were, however, one or two points which were left untouched by the measure, to which he wished to call the attention of the noble Lord. In the Bill there did not appear to be any provision made for the payment of tithes in case of the death or removal to another parish of the incumbent shortly before the tithes becoming due. He was aware that the present law was defective in this respect, but he also knew that many instances of hardship occurred in consequence of the inability of parties entitled to them to recover tithes under such circumstances. But the defect was one which could easily be remedied. He would only call the attention of the noble Lord to one other point. It was proposed that the average should be taken according to the value of the last seven years. This he knew to be a matter of detail, but still he hoped the noble Lord would take care that the difference between land in tillage and pasture land in regard to tithes should be fairly considered, and that no greater pressure would be placed on one species of land than on another. He had risen merely for the purpose of calling the attention of the noble Lord to these two points, but before he sat down he wished to make a single remark on what had been said about the 100*l.* to which the clergyman was stated to be entitled. Although, legally speaking, the clergyman had a right to 100*l.*, yet actually he rarely received more than 75*l.* The latter amount he would still get under this Bill, and, that being the case, the objection to the measure on that head seemed to be untenable.

Mr. *Jervis* said, that from the manner in which some hon. Gentlemen had discussed the measure, it would seem as if there was not a general demand throughout the country for a commutation of tithes. He, however, knew that there was a great outcry in all quarters for an alteration of the tithe system, and all he regretted was that there were a great many tithes—those that created most vexation—which this Bill did not touch. He alluded to personal tithes, the tithes on mills, and mixed tithes. They were all aware of the difficulty of collecting the tithes on calves, milk, eggs, and other articles of that description; and yet, notwithstanding this Bill, all such tithes would be still payable. The tithes on fish and fishing he considered an unjust impost, because it was not only not founded on the common law, owing its origin solely to custom, but amounted to a tax upon labour. The same might be said of the tithe upon mills. He next must say, that the additional charge of 15*s.* proposed to be imposed on every acre of land devoted to the cultivation of hops was highly objectionable, and would in fact operate as a most unfair increase of taxation on those who had expended large capitals in preparing their farms for the production of this particular article. In the parts of the country with which he was best acquainted—Kent or Worcestershire, for instance—he believed that no farmer grew more than a given quantity of hops in any one year. The tithes on wood formed another subject which deserved consideration, and, for his part, he believed, that, unless all small tithes were got rid of for a corn-rent, the measure would not give satisfaction to the country.

Mr. *Hodges* defended the measure. He considered the additional charge of 15*s.* an acre on land employed in the growth of hops a reasonable proposition. Without some such payment he did not think that anything like fair competition could be maintained among the hop-growers.

Mr. *Goulburn* said, that it was not his intention to go at any length into the details of this measure, but only to advert to particular points. It was his desire, and he was satisfied it was the anxious wish of the noble Lord opposite, and of every other Member of that House, that whatever was done for effecting a commutation of tithes should be done in an amicable spirit. He fully concurred with the hon. and learned Gentleman, the Solicitor-General, that there were almost interminable difficulties in the way of effecting any satisfactory arrangement of this question, and it was because of those difficulties that he felt it to be essential that the commutation should be voluntary, for by a voluntary commutation alone could they relieve themselves from the difficulties which lay in the way of anything like a just settlement of every case of tithes. The hon. Member for Chester had pointed out several omissions in this Bill, and enumerated the tithes which he conceived ought to be got rid of. The great advantage of voluntary commutation was, that by means of it all these intricate questions could be easily settled, although they could not be arranged by any compulsory system which they might adopt. All such tithes as those on fish, fishing, mills, and, in different parts of the country, houses, could be more readily commuted by agreement between the parties themselves than in any other way; but, for his part, he did not believe it possible that the noble Lord could make any general compulsory arrangement which would meet the particular circumstances of every case. It was for this and other reasons, which were not necessary now to be noticed, that he had been disposed to try the experiment of voluntary commutation before he resorted to compulsory measures. The noble Lord, however, said that he meant to adopt the voluntary system. What, did the noble Lord mean to tell the House that any experiment could be tried in the short space of six months from the passing of the Bill, or that in six months any experiment could be fairly tried on such a subject? Now, what could possibly be known of a measure six months after it had passed? Or, even supposing that every provision of the noble Lord's Bill were known, was it not likely that no commutations would be effected until the compulsory part of it was brought to an issue? With respect to the additional duty proposed to be laid on lands employed for the cultivation of hops, all he need say was, to express his concurrence in what had fallen from the hon. member for Kent. It was no more than just that those who expended large capitals in the production of hops should be adequately protected. If the noble Lord had said that no additional tithe should be imposed on lands brought into hop cultivation, what effect would that have had? Why, it would have enabled the land paying the limited tithe, by converting it to the growth of hops, to be brought into unfair competition with the land paying the larger tithe in which a large capital had been invested for the purpose of raising from it this particular produce. There were only one or two other points to which he would call the attention of the noble Lord, and respecting which no provision seemed to have been made in the framing of this Bill. It appeared to him that the noble Lord had not contemplated, when the subject was under his consideration, the case of a rector and a vicar receiving tithes from a particular parish. There was a complete omission as to this case in the noble Lord's Bill. No arrangement had been made as to the rights of the rector and vicar hereafter, although the noble Lord ought to have known that it frequently happened that the tithe of one particular produce in a parish belonged to the rector, and of another to the vicar. He should like to know, therefore, whether it was the intention of the noble Lord that the land should pay the rector's charge as an additional tax? He cited this as one of many things which did not seem to have entered into the noble Lord's contemplation when he framed this Bill. He did not think that House would suffer one man to be injured for the benefit of another; yet what were they called on to do? Why to defraud the tithe-owner for the purpose of making a contract with another party, who alone was to receive the advantage. He thought the noble Lord would be required to review his Bill, in order to guard against such inaccuracies. He did not know exactly from the Bill, how it was intended to commute the tithe, in each parish. That, however, was an important question, and he should like to know whether the same commutation would apply to all the lands in a parish, or only to a part, according to the proportionate value of the tithes. These, however, and other omissions, he trusted the noble Lord would be able to supply before the Bill got into Committee. With respect to the principle of the measure, it was not his intention to offer any opposition to the second reading; for he was now, as he always had been, friendly to any plan by which so desirable an object as a just commutation of tithes was likely to be effected. His belief was, that by far the wisest course would be to give a fair trial to voluntary commutation, because that alone was calculated to meet the difficulties in the great variety of cases likely to arise. On that head he would now offer no objection, but would conclude by reserving to himself the right of opposing the measure in any way he should think fit during its progress in any of the other stages.

Mr. *Harvey* said, that the Bill involved two principles—one relating to the commutation of tithes, and the other to appropriation. So far as the commutation of tithes was concerned, there was but one feeling, either in that House or in the country. It had long been the opinion of the people out of doors that a commutation of tithes ought to take place, and it was only within the walls of that House that any thing like tardiness on the subject had been exhibited. There could be no doubt that it was most important to have tithes commuted into a money payment. That was a point conceded by all parties; for so far as the principle of commutation was concerned they were all agreed. The question respecting the proposed appropriation was, however, a much more important one, and on that subject there was no unanimity to be found anywhere so perfect as in that House. There was there what he might call a marvellous unanimity existing, because, in point of fact, the question of appropriation involved what he considered a most unjustifiable concession to the landed interest of this country. Tithes in their present form certainly should be changed. That was palpable, as would be proved by the fact that the value of land which was tithe-free was much greater than that of land which was not, although the land might be as good in the one case as the other. This was a fact that was well known. Land, then, that was tithe-free was more valuable than land that was subject to tithe; but what, he asked, was the proposition made to them by the noble Lord's Bill? Why, they were conferring on the landlord an advantage, by doing that which would render his property more valuable. Now he should like to know in what way the tenantry, the occupier of the land, the yeomen of England, were to be benefitted by the proposed measure. To be sure they were told that the interests of these parties and the landlord were identical—that they represented only one person; but while they gave the landlord an advantage in some instances of forty per cent, and in others twenty-five per cent, he was wholly at a loss to conceive what the benefit was, that they intended to confer on the tenant by the arrangement. What advantage, he asked, did the occupying tenant derive under this Bill? If the tithe was taken away, would not the landlord be free to let his ground for the full value? Where was the benefit, then, to the occupying tenant? They had a right to deal with tithes as public property, and for the benefit of the public at large. They should take care that great public principles were not sacrificed to the advancement of personal interests. In any arrangement that they should come to on this subject, they should recollect that they were the trustees of this property for the community at large, and that they should legislate for the benefit of all, and not for the advantage of any particular class. If, in the settlement of the tithe question in Ireland, they had felt it necessary to have an appropriation of some part of the Church revenues for the instruction and moral benefit of the people, why should they not do the same in England? Let the people derive some benefit from the settlement of this question; and let it not be promulgated through the country that this House was legislating on a great question for the advancement of private and personal interests. He had no hesitation to declare his conviction that this measure would be a most unpopular measure, and would be received with any thing but satisfaction by the country. With respect to that part of the Bill which deducted from twenty-five to forty per cent from the clergyman, he certainly did not approve of taking such a sum from the clergyman. The ground alleged was, that the clergyman, under the proposed plan, would be saved the expenses of collection, and have additional security. The expense of collection bore no just proportion to this reduction. Why, he would venture to state, that throughout the entire county of Essex the tithe was in no instance taken in kind, but was paid to the clergyman in money. The clergyman either had the tithe collected in money from the tithe-payers, or had the large tenant to collect it for him. He ventured to say, that he did not think that the expense of collection could much exceed five per cent, and he certainly thought that it was most unfair to subject the clergyman to such an injury as to make so large a deduction from his income. He certainly did not want to manifest any extraordinary affectation of sympathy for the clergy. He certainly had no hesitation to say, that for the clergy he entertained respect, and he thought, that to a certain extent, their rights should be respected. So far as regarded the existing clergy, he had no objection that, so long as they remained, they should be allowed to preserve all that belonged to them. However, with the same frankness, he would avow, that he sincerely hoped that the time would come when they would have no church at all. He repeated, that in the measure before the House there was a perfect sacrifice of public principles to personal interests, and he foresaw that it would prove alike injurious to the church and unsatisfactory to the country. He did not profess himself to be a friend to the Church; but he would repeat, that, in the ungenerous sense of the term at least, he did not wish to be considered its enemy. Although much opinion had been expressed that evening on the subject of the measure before the House, it appeared to him that the measure did not appear to be well understood, and he certainly thought that the more discussion it received the better. He was of opinion that this measure would determine who were the friends of the people and who were not. He intended that night to take the sense of the House upon the objections which he felt bound to offer to this Bill. He would ask, was it to be expected that the people would consider as in any way beneficial to them, a measure which would go to put 4,000,000*l.* a-year into the hands of the landlords of the country, without the least regard to the advantage of the great bulk of the people, to whom a portion of those tithes were originally devoted? Whatever there was venerable in the character of tithes was associated with their antiquity. It was only in their antiquity that their true history, and the nature and objects of their original institution was to be found. Those tithes had been diverted from their original purposes, and a large portion of them became the prey of the usurpations of lay impropriators. Let it not then be said, that in that House those who had large and extensive personal interests involved, had endeavoured, as far as they could, to shield their own possessions. He trusted, in conclusion, that in any settlement of this question they should legislate with a just sense of the interests of those for whose advantage a large portion of those tithes was originally intended.

Mr. *Cutlar Fergusson* was understood to say, that he must protest against the observations which had been made respecting the measure before the House. The hon. Gentleman had stated that the measure went to sacrifice all other interests to the advantage of the landlord. That doctrine had been often enunciated in that House, that any deduction from the amount of tithes was for the benefit of the landlord; but he must say, that in the observations which the hon. Member had thought fit to offer on the measure before the House a more uncandid statement of the principle of any Bill had never been put forward. The hon. Member had said that this was a measure for the exclusive advantage of the landlords. It was quite clear, however, that the hon. Gentleman had considered the measure with very little attention, and certainly not with his usual ability. There was no such thing in the Bill as valuation in the first instance. The valuation was to be determined by the valuation for the previous seven years. One of the principles of the Bill was, that if any individual felt that he was overcharged, or that he was called on to pay more than he considered the value of his tithes, in such case any person so circumstanced would have the right to apply to the Commissioners for a new valuation. The right hon. Gentleman proceeded to contend that this part of the measure was perfectly free from objections, and was so framed as to be conducive to the mutual interests both of the tithe owner and the tithe payer. He explained the machinery of this portion of the measure, and endeavoured to maintain that the principle on which it was founded was one not only perfectly free from objections, but entitled to the fullest approval both of the House and the country. The hon. Member for Southwark had inveighed against the measure as one in which the interests of the landlords were alone consulted, and at the same time he asked what benefit did the occupying tenant, the tithe-payer, derive from this measure? But, he would ask, in reply, did not the tenant derive more advantage than the landlord? What did the landlord gain? The tenant would be merely called on to pay the amount of his rent-charge; the benefit of the reductions would go entirely into the pockets of the tenant, and the landlord would not derive the advantage of a single farthing during the term of the existing tenant's lease. Nothing could be more unfounded in justice than the condemnatory manner in which the hon. Gentleman had spoken of this part of the Bill. But if any advantages were held out to the landlord could there be any thing unreasonable in that? Let them consider the increased responsibility which the landlord undertook. Let them consider the situation in which this Bill would place him. The landlord would, under the operation of this Bill, stand in the situation of a person liable to be distrained for the payment of the tithes. The tenant would no longer be liable to be applied to for the payment of this charge, and the clergyman would have the great advantage of the security afforded him by the liability of the landlord. There was this additional consideration, that the landlord was likely to lose in the payment of the tithe, for he was bound to pay the full amount of whatever demand the clergyman became entitled to, and he might not perhaps be able to collect that amount from the tenant. With respect to the deductions of twenty-five or forty per cent., he considered that as the clergyman would have increased security, and would receive his money without trouble or expense, it was but reasonable that some deductions should be made. He believed that would be admitted on all hands. Wherever the valuation was not considered to be fair, the Commissioners would have a right to make a new valuation, and the amount of the reduction would vary from twenty-five to forty per cent., in proportion to the difficulty that might be found in collecting the arrears. He considered that the Bill would be satisfactory to all parties, and have a fair and just regard for the preservation, upon a fair basis, of all the various interests concerned. The principles of this Bill had been most clearly and satisfactorily explained in the admirable speech of his noble Friend, in which he showed the superiority of this Bill to any Bill that had ever before been brought forward on the subject. There was one point, however, which had not been mentioned, namely, that there was to be a personal agreement, as well as a periodical agreement, as to the amount of commutation. The Bill enacted, that if any person found fault with his valuation, and thought that he was overcharged, he would have a right to appeal. The great object of the framers of the Bill was, to do injustice to no person. The measure, in his opinion, was fair and honest towards all parties concerned, and was by far the best and fairest measure that had ever been proposed for the commutation of tithes. It would be advantageous to the tithe-owner—it would be advantageous to the landlord and to the tenant. The great advantage to the tenant would be, that there would no longer be a tax upon his industry and capital. At present the tenant could not place increased capital in the improvement of his land, but it became liable to have a portion of the increased produce taken for the payment of tithes. That would be the case no longer, and the tenant would thus be released from a very annoying and disadvantageous impost. The right hon. Gentleman proceeded to contend that this measure, if carried, would be of the greatest possible advantage to the country. He referred to the fact that no tithe-system existed in Scotland, and he attributed a great portion of the prosperity of Scotland to that circumstance, and he expressed a confident expectation that the measure before the House would, in its beneficial operation, vindicate itself from the objections urged against it, and confer the most extensive and valuable benefits upon the country.

Sir *Robert Peel* said, that the House were to consider whether there had been such a *primâ facie* case made out in favour of the principle of the Bill as would warrant them in permitting it to be read a second time. Its leading principle was, that in certain circumstances compulsion might be admitted. To that he did not object, provided it was arranged upon principles perfectly just and equitable towards both the landowner and the tenant. In the course of the Bill's progress through the Committee, the hon. Gentleman opposite would have the power of fulfilling the declaration he had made, and of moving an Amendment to the effect that one-tenth of the gross produce should in every case be taken from the occupying tenant, since it appeared that nothing less would satisfy him—that no deduction from the amount of the sum which in strictness of law the occupying tenant should pay would satisfy him. The hon. Gentleman also proposed that a portion should be set apart for public purposes; but, even with that appropriation, he doubted whether the measure would give satisfaction to the occupying tenant. He had listened to the lucid speech of his Majesty's Solicitor-General, but he could not say, that the argument it contained was so conclusive to his mind as to induce him to join in the unqualified panegyric passed on the Bill by the hon. Gentleman. He would, however, give his consent to the second reading of the Bill; when it reached the Committee, he should facilitate, by any suggestions which occurred to him, the passing of the Bill, upon principles which should appear to him fair and reasonable. The argument of the hon. and learned Gentleman (Mr. Harvey) was fatal to any attempt at a commutation of tithes upon any principle whatever, and he must say he never heard reflections more unjust than those thrown out by the hon. Member against the landowners who had seats in that House, merely because they were willing to consider the subject freely, with a view to attempt a satisfactory settlement of this intricate question. As to whether 75 or 60 per cent. were a proper sum to adopt as a *maximum* or *minimum*, he would give no opinion whatever, and, should he see grounds for coming to a different conclusion, it would be perfectly competent for him to propose the adoption of any other sum in Committee. The hon. and learned Member opposite (the Solicitor-General) had stated that the Bill included the two principles of voluntary agreement and compulsion, and seemed surprised that any objection should be taken against a measure which combined both. Now, there might be cases in which voluntary agreement might be proper, and cases in which compulsory agreement might be proper; but it did not follow that a Bill which united both should receive unqualified assent. The hon. Gentleman said, that the Bill which he had formerly proposed must fail upon this account—that the prospect of voluntary settlement held out by it was so vague, that it must necessarily prevent the question from being speedily set at rest. Now, he had said nothing whatever against the ultimate adoption of the principle of compulsion; but what he did say was this,—he thought when they came to apply that principle, the experience they would have then gained, by the previous attempts to effect a voluntary agreement would suggest better principles of compulsion than they could at first lay down. He believed, the peculiarities of various parishes, with respect to tithe, to be so great, that it was difficult to prescribe in what cases the principle of compulsion could be with advantage applied; but expecting, as he had expected, that there would be many cases of voluntary agreement under the Bill which he had introduced, if he did not define at first the principle of compulsion to which he meant to have recourse, it was because he thought that they might afterwards discover those principles which would be most consistent with equity, and most suit the infinite variety of complicated cases they would have to consider. The noble Lord said, that this Bill first allowed a voluntary agreement, at the option of the parties interested, and then, in the event of that alternative being rejected, made the commutation compulsory. Now, could the noble Lord show him any case in which there could be a voluntary agreement under this Bill? The compulsory principle was to come into operation at the end of six months. Certainly this arrangement would favour one of the two parties, the tithe-owner or the tithe-payer. Why should either seek to come to a voluntary agreement when he knew that in six months another principle would be enforced which would be attended with results much more profitable to him? How very improbable, then, that the voluntary principle would be adopted in precisely the same terms as those laid down by the Bill. If a compulsory settlement were effected, one party would be benefitted at the expense of the other; how, then, could they be expected to consent to a voluntary settlement? So far from the compulsory principle being likely to lead to a satisfactory adjustment, if the principle to be eventually applied were uncertain, that very uncertainty would be much more likely to lead to a voluntary adjustment in the mean time. The next proposal which the Bill made was, that there should be parochial agreements, and that the consent of a certain proportion of the tithe-holders should bind the rest. In his opinion this was the best part of the Bill. That failing, the main principle of the Bill, that of compulsion, was next to be applied. This part of the Bill, though far the most important one, he did not exactly understand. He thought the object of the noble Lord had been to provide some principle by which, ultimately, the payment of tithe would be abolished. But that object it was impossible the present measure should effect. The Bill did not, strictly speaking, apply compulsion. After six months have elapsed, the Commissioners would not be entitled to proceed, unless there should be an application from some party in the parish. Should this not be made, the tithes would remain precisely upon their present footing. He confessed he thought the noble Lord meant, that upon an application from a certain number of inhabitants, possessing the greater part of the tithe property, the Commissioners should be authorised to proceed to the valuation of the tithe upon whatever principles they might agree to adopt. But the plan of the Bill was this:—After the expiration of six months, if no voluntary agreement, and no parochial agreement, in consequence of the decision of the majority, should be effected, the powers of the Commissioners would then come into operation. And in what manner? Any landowner might write to the Commissioners and require, not a compulsion for the whole parish, but a compulsory arrangement for his individual holding in it. The parish might consist of 10,000 acres, and any man holding a single acre might apply for a compulsion to it. So that, though he admitted he was supposing an extreme case, it might be that this principle of compulsion might be applied only to a single acre. Supposing half the parish agreed in applying to the Commissioners, in that case the principle of compulsion might be employed with effect. There might be proprietors in a parish whose land, now subject to a corn tithe, had not been arable for the last six or seven years. The tithe-owner would then apply to the Commissioners to have the compulsory principle applied, and would select the cases in which it would be for his interest to obtain it. But what confusion and disputes would arise from these applications of individual landholders! It would be infinitely better, if the noble Lord had determined what proportion of the holders of land interested in tithe should have had the power of obtaining from the Commissioners the application of the compulsory principle to the parish. But the case of selecting individual landholders, and applying it to each, did appear to him to be introducing into each parish an anomaly in tithe, and he feared, that instead of reconciling conflicting opinions, it would lead to greater animosities than before. In every instance in which the award of the Commissioners was objected to—in every case there must be a valuation of tithe, a just principle in itself; but did the noble Lord consider what the difficulty would be in the great majority of cases of compulsion? How could the gross amount of tithe paid within the last seven years be discovered? If it had not been paid in kind, there might be a record; but where this had been the custom, he did not see how they could proceed to determine its gross value for that period. In order to form a just valuation, the Commissioners must know the nature of the crop of every year, the produce of the land; and if their decision were not in conformity with justice, their award must necessarily produce great dissatisfaction in the parties subject to it. In every case where the award was not satisfactory he did not see how the noble Lord proposed to ascertain the value of the tithe on an acre of land during the last seven years. These were the principal doubts he entertained with respect to the measure before the House, which might be removed on further application and further inquiry, but of which, some hon. Members having already alluded to them, he had not yet heard any satisfactory solution. He advised the noble Lord not to be too sanguine that his measure would meet with universal approbation. The extreme difficulty there was in coming to a satisfactory settlement of this question induced them to receive with favour any attempt to overcome these obstacles made in the spirit of fairness. The measure before them had at first appeared to him exceedingly plausible, but when he came to examine it minutely, defects presented themselves that had escaped a more cursory observation. For instance, with regard to the power of levying tithe in kind for non-payment of tithe, as the landowner possesses the right of distress for non-payment of rent, since the former right was not affected by this Bill, the liberty of levying tithes in kind might be continued for a long series of years. The Bill had, in the course of the debate, been denounced by some hon. Members as the Clergyman's Bill, by others as the Landowners', and he confessed he heard the first objection with much more satisfaction. He did hope that no Bill would receive the assent of that House which did not render full justice, in every particular, to the rights of the clergy. It would be not only inconsistent with justice, but also detrimental to the honour and character of Parliament, if this Bill passed without containing some such provision as that which he had just recommended. Considering our peculiar situation as landlords, and also considering that the parties interested are the clergy, who have no direct representatives amongst us, it is required, no less by a due sense of our own interests than by a proper regard to the protection of the rights and privileges of the clergy, that we should not appear to sanction any principle which we are not satisfied is consistent with justice. To require the whole 100 per cent. for the Church would be an insuperable bar to any commutation whatever. He had no hesitation in declaring that a fair deduction from the nominal amount of tithe must be made, for it was evident that to exact the whole 100 per cent. would be unjust both to the landlord and to the occupying tenant. He did not wish to have it understood thereby that he meant to agree entirely to the proportion fixed by the noble Lord. As he said before, he would not oppose any objection to the principle of the measure, but would hold himself at liberty to modify it hereafter, as might seem most desirable to his sense of justice; for the main consideration by which he was actuated was a desire to satisfy the Church and the country that, in attempting the commutation of tithe, the House did not intend in any way to affect the interests of the clergy.

Lord *John Russell* congratulated the House that the discussion on this Bill had been managed with great fairness by all who had taken a share in it. He could assure hon. Members that the Bill had been framed by himself and his colleagues in the same spirit in which it had been hitherto discussed. Some hon. Gentlemen might say, like his hon. Friend, the Member for Wiltshire that the Bill was a Clergyman's Bill, although, being just, he did not mean to object to it on that score. Others might say, like the hon. and learned Member for Southwark, that it was a Landlord's Bill, and therefore gave undue advantage to that portion of the community. He could assure the House that the Bill had been framed without any bias to either of those parties; that it had been drawn up in its present shape in order to produce a fair settlement of a question which was the cause of much dissension and evil; that it had been intended, on the one hand, to secure to the clergy a fair income proportional to what they had a right to claim as due to their rights and position in the country, and, on the other, to free both the landlord and the occupying tenant from a burden which was grievous to those who were anxious to employ their skill and capital on the land. Having framed the Bill in this view, he was not surprised to find that the objections urged against the Bill from different quarters of the House were so various and contradictory to each other. His hon. Friend the Member for the University of Oxford, objected to the Bill as being compulsory. The hon. and learned Member for Ripon objected to the Bill because it was not compulsory enough. One hon. Gentleman considered it too favourable to the tithe-owner, another considered it too favourable to the tithe-payer. Thus, as might naturally be expected from the Bill being drawn up without any bias, it was opposed by the extreme parties on both sides —a proof, as he contended, that those who had steered a middle course between them had devised a measure which ultimately would be satisfactory to all parties. The right hon. Baronet the Member for Tamworth had not objected to the former part of the Bill, which established a voluntary commutation of tithe; nor to the latter part of it, by which three-fourths of the tithe-owners might agree with three-fourths of the tithe-payers, so as to make an arrangement compulsory upon the rest of the parish. But the right hon. Baronet had stated more than once that the advantages would be greater if the commutation were made voluntary at first, and afterwards, if voluntary commutations were not made, introduce a Bill to make compulsory commutations. Now, his expectations differed much from those of the right hon. Baronet. The right hon. Baronet was obliged to admit that we could not remain long—that was for many years—without coming to a compulsory commutation. The question, therefore, was, not whether a Bill should be introduced authorising voluntary commutation and leaving all parties in the belief that no other commutation would be effected, but whether they should pass a Bill for the voluntary commutation of tithes, leaving all parties to presume that a compulsory commutation would follow,—so leaving it to one party to say, "the rights of the church are such, that a larger sum than is now paid will be due to it," and to the other to allege, "What is now paid to the church is too much, and a reduction in the amount of the payment must be made." In proposing a Bill for voluntary commutation, under such circumstances, they would find that both parties would be unwilling to make voluntary commutations, and would reserve themselves for a later Bill, in the hope that a compulsory commutation would be more favourable to their interests. In such a state of things, though some instances of voluntary commutation might happen, he was far from thinking that they would be sufficiently numerous to serve as a guide to the country in making a compulsory commutation. He thought that such instances of voluntary commutation would be rare and singular—that they would only occur where the parties were on amicable terms with each other —where either the owner or occupier of the soil was ready to grant more than the tithe-owner received at present, or where the tithe-owner received less than his due from the farmers of his parish. Under such circumstances he must contend, that if there were a voluntary commutation, it would not supply anything like a safe guide to direct us in making a compulsory commutation for the whole country. The right hon. Baronet had also said, that there would be great difficulty when we came to make a compulsory commutation in finding a value for the tithe of every acre in the kingdom. His (Lord J. Russell's) feeling was, that the power of making a voluntary commutation, coupled with the prospect of being obliged to submit to a compulsory commutation if a voluntary one were not made, would lead the parties to make fair terms with each other. If they would not, then there would be meetings of three-fourths of the tithe-owners with three-fourths of the tithe-payers to make arrangements, and where those arrangements were made satisfactorily they would be binding on the whole parish. He thought that to such meetings the voluntary commutations made between individual tithe-payers and the tithe-owners would form some guide as to the value of the tithe. He thought it necessary, nevertheless, that in any Bill for accomplishing a compulsory commutation of tithes there should be a provision providing for a just and equitable valuation of the tithe, and he had accordingly inserted in this Bill such a provision, which he trusted would prove satisfactory. The right hon. Baronet, the Member for Kent had thrown out two observations, which were well deserving of attention. He would apply his consideration to the two cases which the right hon. Baronet had mentioned, and would see whether some provision could not be devised to meet them. With respect to the observation made by the right hon. Member for the University of Cambridge respecting the claims of rectors and vicars, he thought it applied very strongly to the case of hops. Some provision he thought might be framed to meet that case. The hon. and learned Member for Chester had found fault with the Bill, because it contained no provision for a commutation of those tithes which did not arise from land, as for fish, milk, &c. The difficulty rested in this case upon the fact, that the parties to whom these payments were made were not always sufficiently known. With respect to the objections which had been made upon this occasion, as upon other previous occasions, by his hon. Friend, the Member for the University of Oxford—objections in which no one had concurred save the hon. and learned Member for Southwark, with whom his hon. Friend had had a great but unusual accord of opinion—he must say, that his hon. Friend had not stated the case fairly when he represented the owner of tithes as having a right to the whole tenth of the produce of the land without any deduction. One very obvious reason why the tithe-owner ought not to have a right to the whole tenth was, that the person who paid the tenth of the produce was not obliged to cultivate his land as the tithe-owner pleased. On the contrary, if his tithe were valued at too high a rate, he might escape from the difficulty by changing the cultivation of the land, so that tithe might either be paid to another person or not paid at all. He would illustrate what he meant on this subject by a short statement of a fact. A friend of his paid for a certain number of years a fixed sum for tithes to the Dean and Chapter of Norwich. At last the Dean and Chapter took it into their heads that they were entitled to a larger sum, and demanded it from his friend. He thought that they asked much more than they were fairly entitled to, and in consequence refused payment of it. They persisted in their demand, and the result was that his friend changed the cultivation of his land. He planted every acre of it, to the great amusement of the neighbourhood, and no tithe had been paid on it for the last twenty-one years. Here was a clear proof that the clergyman had no actual right to the whole tenth of the produce of the land. When, therefore, he said that in some cases 60 per cent. only should be taken, he was not alluding to those cases merely where there had been leniency shown by the tithe-owner, but also to those cases in which the cultivation might, and perhaps would, be changed, so as to affect the income derivable from tithes. He would not enter further into the details of the Bill at present. In the Committee he would meet any suggestions that might be made to him, and discuss them with the utmost fairness. From the manner in which this discussion had been conducted, he was rejoiced to find that that there was at last some prospect of settling this important question, and that the House was most anxious to lend itself fairly and impartially to a satisfactory arrangement of it. For his own part, he thought that it would be much better to enact a Bill which was fair and impartial to all parties, even with some errors, than to go on for two or three years longer without accomplishing any settlement of it at all.

The Bill was read a second time.

PENSIONS' DUTIES BILL]. On the Order of the Day being read for the second reading of this bill,

Mr. *Granville Harcourt* rose to present a petition from the Duke of Marlborough praying to be heard at the bar of the House by counsel against the passing of this bill, which has been introduced for the purpose of reimposing upon all pensions the tax, which was virtually repealed by an omission in the Pension Act of last Session. He reminded the House that all pensions now granted for great and illustrious military services were paid to their holders free from any deduction whatever, and argued that it never could have been the intention of the Parliament of Queen Anne, which granted to the great Duke of Marlborough, for his victories at Blenheim and Ramillies, the pension which his descendant now enjoyed, to diminish its amount by submitting it to a tax of 27½ per cent., which for some years past had been levied upon it. He did not know whether he was in order in offering to present this petition now. He had not been a party to the presentation of it. If his advice had been asked, he should rather have suggested the propriety of introducing some clause into the bill to exempt the case of the Duke of Marlborough's pension from its operation. He hoped that this bill would, at any rate, offer an opening for some discussion of the noble Duke's case. Considering the change which had taken place in the value of money since the reign of Queen Anne, and considering also that the Parliament of that day evidently intended that the Duke of Marlborough should in all future time receive the full amount of the pension granted to the illustrious hero on whom it was first bestowed, free from all taxes and deductions whatsoever, he thought that the subject-matter of the petition was well entitled to dispassionate attention. Living as he did in Oxfordshire, and representing as he did that county, of which the park and castle of Blenheim were such distinguished ornaments, he might perhaps be forgiven for stating that that noble monument of national gratitude was in some risk of not being sufficiently attended to, and of not being kept in that state of conservation which Parliament would naturally desire. After several other observations, which were quite inaudible in the gallery, the hon. Member, as we understood him, asked leave of the Speaker, if it was not contrary to the rules of the House, to bring up the petition which he held in his hand.

The *Speaker* said, the hon. Member might adopt a more regular mode of proceeding than that of presenting the petition.

The *Chancellor of the Exchequer* suggested that the proper course for the hon. Member would be, to propose a clause in Committee to effect his object.

Petition withdrawn.

Mr. *Goulburn* thought the House ought to have some information as to the grounds of making that a permanent duty which, from the period of its imposition, had been only annual. The preamble of the bill, which stated that doubts had arisen as to the right to levy the duty after the 5th of July, 1835, was perfectly unfounded, for nothing could be clearer than that the duty could not be levied after the expiration of the Act under which it had been granted. The subject admitted of no doubt.

Mr. *Francis Baring* assured the right hon. Gentleman that an impression did exist, till recently, that the duty might be levied, notwithstanding the expiration of the annual Act, and that to remove all doubt, and clear the matter up, the present bill was brought in. As to the right hon. Gentleman's objection to rendering that perpetual which had been hitherto granted annually, if he would take into account that the duty amounted to no more than 10,000*l.* a-year, the right hon. Member must perceive that there were no great grounds for jealousy on the subject, as no very considerable check was taken out of the power of Parliament by the alteration.

The bill was read a second time.

HOUSE OF LORDS,

Tuesday, February 23, 1836.

MINUTES.] Petitions presented. By the Duke of WELLINGTON, from Owners and Occupiers of Land in Hampshire, Complaining of Agricultural Distress.—By Earl DE GREY, from the Boroughbridge Agricultural Society, to the same effect.—By the Earl of ABERDEEN, from New Brunswick, against any Alteration in the Timber Duties.—By the Earl of ILCHESTER, from Yeovil, Complaining of Agricultural Distress.—By the Marquess of WESTMINSTER, from the Proctors of the Consistory Court of Chester, against the Probate Clause in the Ecclesiastical Courts'

Bill.—By Lord WHARNCLIFFE, from Wakefield, against the Additional Duty on Spirit Licenses.

APPOINTMENT OF BOROUGH MAGISTRATES.] Lord *Wharncliffe* having presented two petitions from the city of Rochester, relative to the recent appointment of Magistrates there, said he should at once move the Order of the Day, of which he had previously given notice, relative to the appointment of Magistrates in boroughs under the Municipal Corporation Act. He should have to bring before their Lordships certain circumstances with respect to the conduct that had been pursued in several boroughs in the election of Magistrates under the Act of Parliament which had been recently passed; and it was his intention, before he sat down, to move for certain returns that would tend to throw a considerable light on this subject. He was aware that, in making this motion, it was his duty, as it would be the duty of any other noble Lord who undertook the task, to adduce proper reasons in support of it. He should, therefore, in the first place, remind their Lordships of all that had passed in that House during the debate on the Municipal Corporation Bill. They had been told that that Bill would introduce a new era—that corporate funds would be fairly dealt with—that the administration of justice would be more pure and perfect—and that party and political feeling would no longer be the sole passport to municipal office. They now had popular election; but it appeared to him that the evils which had been complained of under the old system were not removed. He confessed that he had always thought that the accusations against the old boroughs were considerably exaggerated; at the same time he admitted that it was necessary to reform those institutions generally. He did not think that they were calculated to carry on the municipal government as it ought to be carried on, and therefore he felt that it was necessary that they should be reformed. He believed that his noble Friend behind him (the Duke of Wellington), and many individuals in another place, who had paid attention to this subject, and who endeavoured to improve the Bill, acted on the purest principle, without any factious or party view. They had stated that it was necessary that a reform should be effected, but they wished it to be a wise and a temperate reform. They wished that all undue influence should be removed from elections in corporate bodies, that the people should have a fair share in those elections, and they had strongly urged this point, that while reforming the existing system care should be taken that the reform was real, and was not a mere change of power from one political party to another. He should, he conceived, be able to prove to their Lordships that, instead of the Bill having been productive of all the benefits which it had been confidently predicted would flow from it—instead of excluding the operation of party and political feeling, the fact was directly the other way. He should call the attention of their Lordships to the immediate operation of the Act; and it certainly appeared to him, that not alone in the choice of town-councillors, but even, still more, in the choice of Magistrates, the principle of exclusion was decidedly acted on. The change was merely a change of party—the principle of exclusion had been preserved. In order to come to a right understanding upon this point, it was necessary to look at the situation of corporations before the new Act was passed. Undoubtedly, at that time, the magistrates and town-councils were almost all self-elected—were almost all of a certain way of thinking. They elected upon the principle of exclusion; which, previously to the repeal of the Test and Corporation Acts, and more especially previously to the emancipation of the Roman Catholics, was strictly adhered to. Now, it certainly was not unnatural that the principle of not admitting Dissenters and Roman Catholics into corporations should have prevailed, looking to the circumstances of the times, because, in fact, before the repeal of the laws to which he had adverted, they could not legally be admitted, But he would fairly confess that he felt that the principle of exclusion was one which ought not, and could not be continued; and he had, from that feeling, told many members of corporations, that if they persisted in that system of exclusion, they would force upon the Crown and upon Parliament the necessity of interfering to effect an alteration in the system. Such a sentiment was entertained generally, and in consequence Government introduced the Municipal Corporation Bill. When that Bill came up from the House of Commons it was the duty of their Lordships to see whether its provisions were likely to insure all the purposes for effecting which the measure was proposed. The first thing which naturally struck them was, to take special care as to the manner in which the town-councillors should be appointed; and next, to separate that which had reference to the administration of justice from the other parts of the Bill. The measure, as it came to that House, gave the town-councils the power of nominating justices, leaving a *veto* only to the Crown. Their Lordships had prudently altered that clause, so as to take the nomination entirely out of the hands of the town-council. That alteration, it appeared to him at the time, was likely to insure the efficiency of this part of the Bill; but he regretted exceedingly that circumstances had since occurred which showed how that provision might be evaded. The bill, amended by their Lordships was afterwards sent down to the House of Commons, and they all knew that this particular amendment of their Lordships was at first rejected, and that the Commons insisted upon retaining the original clause. When the Bill was again returned, their Lordships most wisely and prudently insisted upon their amendment; and he undoubtedly had read with great surprise that, in the course of the debate which took place in the House of Commons, after the Bill had been sent down a second time, on that occasion the noble Secretary of State for the Home Department—the leader of the House of Commons—had stood up in his place, and (not using these very words, but words to the same effect) had stated—"that it did not much matter what their Lordships had done in this case; for, so long as he and his colleagues remained in office, the opinion of the town-councils would have the greatest weight with them." It appeared to him that a Minister of State who, after a Bill had passed their Lordships' House, would thus stand up in his place, and tell the people of England, "it is true the Parliament have agreed to such a clause, but I will show you how it shall be evaded," acted in a most unjustifiable manner. It appeared to him, he repeated, to be one of the most unjustifiable declarations that could possibly be made. In this state the bill had passed—such was the law; and that being the case the next question was, how had it operated. The election of town-councillors turned out just as he expected that it would. The great body of the voters, in many boroughs, had got rid of the old town-councillors, who were all of a particular class of politics—a result which, from the beginning, he expected. There was no doubt that it was quite natural for those who had been so long excluded from power to take this step. He, however, confessed to their Lordships (and he did not doubt that such would be the fact) that, in spite of any improper elections that had been made, he did hope, that in the end the result of this Bill would be a fair representation of all parties; and, therefore, he would say no more upon the subject of elections. He was, however, compelled to refer to the proceedings of the town-councils. Those proceedings showed most clearly that of all people in the world, those bodies were the very last to whom the Secretary of State should have applied for information with reference to those whom they conceived to be fit to act as magistrates. They had, it should be observed, just achieved a victory—they were flushed with triumph, and it was at that moment of heat and excitation that the noble Secretary called upon them for advice. The result was, as might be expected, that the lists for the magistracy sent up by the town-councils consisted entirely of men of one set of opinions in politics. In some instances there might be found one, two, three, or four persons of Conservative opinions returned, but somehow or other it always happened that they were rejected. On the other hand, there were some boroughs where the majority of the town-council had been returned, of Conservative opinions, and, to their honour, the lists of magistrates sent up by them were distinguished by a very liberal spirit. He would first instance the borough of Southampton. The majority of the town-council there was Conservative; yet, to their credit, they sent up a list of ten persons as fit for magistrates, five of each party. In a letter addressed to him, five were described as Conservatives and five who were sometimes called Conservative Whigs, sometimes Whigs, sometimes Whig Radicals, and sometimes plain Radicals. Some of these terms he certainly did not understand. Between the Whig Radical and the Radical being the extreme of the party, he undoubtedly could perceive no difference, and unquestionably he knew not how the Whig and the Radical could ever have come to a point of conjunction. The next borough to which he would refer was that of Guildford. There also the majority of the town-council was Conservative. They returned a list of twelve names, of which nine were Conservatives and three were Liberals. He would next go to Bristol, where there was a very considerable majority of Conservatives, and they sent up a list consisting of twelve

Conservatives and twelve Whigs. Exeter was mainly Conservative, yet they had returned eight Conservatives and four Whigs. Again, at Ilchester, the great majority of the town-council was Conservative, yet their list of magistrates comprised individuals of both parties. He ought to observe to their Lordships, that no sooner were the elections over than a circular was issued from the Secretary of State's Office, calling upon the different town-councils to send up a list of the individuals elected, and pointing out those whom they recommended to be appointed magistrates. The first upon the list was Norwich, where twelve Conservatives had been elected to seventeen Liberals. Next came Yarmouth, which had placed on the town-council seventeen Liberals and three Conservatives. The town-council of Warwick was placed precisely in the same situation. They had elected twenty persons, of whom twelve were stated to be Whigs, one doubtful, and seven Tories, and what appeared to be very extraordinary was, that out of those Tories, as they were called, who were thus nominated, one was eighty-one years of age, and another seventy. At Cambridge and Liverpool scarcely any persons were proposed as being fit to act as magistrates whose politics were of a Conservative nature. Leeds had sent up a list of seventeen Liberals and one Conservative; and Coventry, under the same circumstances, had sent up a list in the proportion of twelve to one. [Viscount *Melbourne*: How does the noble Lord know the politics of all these people.] The noble Viscount might look at one of the newspapers which supported his own Government, and there he could easily ascertain the fact. He would not go through the whole list of boroughs, because the same system evidently prevailed in every case. Men were excluded on account of their political feeling, as was particularly manifested with respect to the rejection of the individual who had, in the preceding year, filled the situation of mayor of Newcastle-on-Tyne, who was perfectly acquainted with his duty, whose services would have been most valuable, and were indeed considered highly valuable in the eyes of the town. He quite agreed in the doctrine laid down on a former evening by the noble and learned Lord on the woolsack, with respect to the appointment of magistrates. He admitted that it was the duty of the Lord Chancellor, and of those who advised his Majesty on this subject, not to act upon the opinion of the Lord Lieutenant—or of any individual or set of individuals—in appointing magistrates, but to satisfy themselves as to who were the individuals best fitted to fill the important situation of Magistrates. But, surely, as he had said before, men who were strongly excited—men whose political feelings leaned all one way—men whose passions had so recently been exasperated, were not the proper persons to give advice on a matter of so much importance as the selection of magistrates. He would now refer to some towns of great magnitude in which there had been contested elections. In Leeds the magistracy was contested, and he would just read an extract from the last Report of the Municipal Commissioners with reference to their inquiry into the conduct of the corporation of that town. They said, "The great respectability of the present members of the corporation, and their impartial conduct in the administration of justice, are universally admitted." If this were the case, when the corporation was to be renewed, and justices were to be appointed, why were the services of those individuals, which were thus handsomely acknowledged, not rendered available? Why were those persons rejected? No, the town-council had sent up the names of seventeen persons who were opposed to the old corporation, and the name of one who had been a member of it. They had also thought fit to make an individual a member of the corporation who was the editor of a party paper. A deputation was sent up to represent the impropriety of this nomination of Magistrates. The Secretary of State, however, retained fourteen of these persons. Three names were introduced by the noble Secretary, but of these only one could act. One of them was no longer eligible, not having an estate in the locality; the second was a surgeon in extensive practice, who could not spare time to perform the duties of a Magistrate; and the third was the son of a great manufacturer in the neighbourhood. Now, he would only ask, could the people of Leeds be satisfied when they found the town-council nominating none but persons who professed one particular line of politics? It was impossible that they could be satisfied. He might be told, that the office of a Magistrate was not one of emolument, and was not one of influence in counties. In towns, however, it was one of considerable importance, especially so in a borough where there was a contested election, and where party spirit ran high. Every man wished to be distinguished, and to fill a certain rank in society; but no individual would like to have a mark put upon him on account of his political opinions. One of the reasons advanced for passing the Municipal Corporations Bill was, that it would remove all invidious distinctions; but he could not see how that principle was reconcileable with the fact of the Government setting aside all those who differed from them in political opinion. In Liverpool great dissatisfaction was felt towards the old corporation, but dissatisfaction was also felt at the conduct of the new corporation. It was an extraordinary thing, but the fact was, that only one person who had acted as a Magistrate when the old corporation was in existence had been re-appointed; and their Lordships themselves could not be more surprised if they were nominated to act as Magistrates at Liverpool than were the persons who had been appointed. With respect to Coventry, he admitted that the Report of the Commissioners was not so favourable as it was with respect to the corporation of Leeds. But he would ask the Government whether they could not have selected as Magistrates for that town highly respectable persons, of Conservative principles, who would have been perfectly qualified for the office, instead of taking them all from the opposite party. Why were not such persons selected? Why were they to be marked on account of their political opinions? The same system was pursued at Yarmouth. Out of the list of persons sent up to the Secretary of State, two, who were attornies, were objected to on account of their political principles, and others were substituted for them. With respect to the nomination of Magistrates for Leeds, it was a curious circumstance that the names of the persons who were to be appointed were published in a party paper there on the Saturday, although the Mayor was not put in possession of the information until the Tuesday following. With respect to Guildford, what had been the conduct of Government? Why, of the nine Conservatives who had been sent up, several had been thrown overboard by the Secretary of State, and persons were selected who had voted for the Whig candidate at the last election. Wigan was a place of considerable importance, and where he believed liberal principles prevailed to a great extent. The town-council of that borough had sent up a list of Magistrates, every one of whom were on the Radical side. Two memorials were in consequence sent up, complaining of the selection which had been made, calling for inquiry, and praying that certain gentlemen named in the memorial might be placed in the Commission of the Peace. The answer from the Home Office was—"That before the arrival of the memorial, the individuals placed on the list had been appointed to the situation." To this statement the person who forwarded the memorial answered, "That the recommendation of the town-council could scarcely have been in the noble Secretary's hands at the time of sending up the memorials and on behalf of the gentleman who had memorialized the noble Secretary, he begged leave to remonstrate against the course which the noble Secretary had pursued, and to request that an inquiry might be instituted with reference to the persons named by the town-council, and that the Commission should be staid until that inquiry was concluded." The writer also "begged leave to remind the noble Secretary, that before the recommendation was sent up a letter, signed by 200 respectable individuals, protesting against the nomination, had been transmitted to the noble Secretary." This was a very extraordinary transaction. Here a request was made for the insertion of certain names, and for an inquiry into the qualifications of the persons recommended by the town-council, but neither representation was attended to. As to the nomination of Magistrates for Rochester it was, a subject of loud complaint, not only because none but Radicals had been appointed by Government, but because that appointment was procured through the instrumentality of the two sitting Members for that city one of whom had carried his election by a majority of one vote. The numbers in the town-council were equal when the contested lists of Magistrates were put to the vote. There were nine on each side, and of course neither lists could be carried. But the matter was settled by a letter from the Secretary of State, declaring that he had appointed six individuals, all of whom were Radicals. Well, then, at Rochester they could not proceed with the election, and, consequently, upon this there came down a Commission, in which the names of six persons of liberal politics were enrolled, and amongst them was the name of one gentleman, who could not, he believed, act as a Magistrate. That gentleman was brother of one of the Members for Portsmouth, and was collector of the Customs.

Now, it must be perfectly notorious that in such a place as Rochester there must be numerous offences against the Excise and Custom laws. Under these circumstances, be thought that gentleman must be incapable of acting as a Magistrate. In consequence of this selection made by Government, a deputation was appointed, which, in the first instance, waited upon Sir Edward Knatchbull, and afterwards proceeded to the office of the Home-Secretary. They informed his Lordship, that, in their opinion, there must have been some mistake; the answer made by Lord John Russell was, that the persons so appointed had been recommended to him by the Members for Rochester, Mr. Bernal and Mr. Hodges, from whom he understood they were most respectable men. Now here was a case in which the Secretary for the Home Department took the opinion, not of the town-council, but of the Members in Parliament for the borough. The town-council had come to a determination not to do any business, and not to recommend anybody. When the noble Secretary was informed of this, he said he had never heard it before. But then he took other ground, and said that the old Magistrates had refused to act. Now, he was informed that this statement was not correct. He spoke upon the authority of some of these Magistrates themselves. The misconception arose from this—there had been an endeavour to implicate the old Magistrates in such a course of proceeding, but they were too wise to suffer themselves to be entrapped. They went to the petit sessions, but there was only one Magistrate on the bench. A second time they went, and still there was but one Magistrate, and he said he could not swear them alone, but that another Magistrate, naming him, was in town, and that he would go with them to that gentleman, and get them sworn in, or else they might return again on the Saturday. The Magistrates assured him that no such words as those attributed to them had been used, but that an attempt had been made to entrap them. The noble Secretary then said, he would consider the case, adding, however, to the deputation, that they must not be surprised if he placed more confidence in the Members for the borough than in them. Might it not, then, be asked, were the new municipal corporations to be made use of for party purposes? Let them see what one of the Ministerial organs said upon the subject. The noble Lord read the following passage. "A correspondent at Rochester reports to us, with great approbation, the appointment of six Liberal Magistrates for that town. Our readers will remember that at the late election of councillors under the Municipal Reform Act the number of Reformers and Tories were equal. The Liberal portion of the inhabitants of Rochester dreaded the possibility of the Magistrates being also appointed in the same proportion with regard to principles. The Government has relieved them from this apprehension, and decided in favour of an entirely Liberal magistracy. We sympathize with the good people of Rochester, who now exult in their triumph; but we do not believe that Lord John Russell would consider any strong expressions of approbation to be a high compliment for doing that which if not done would have been, on his part, weakness and inconsistency. The time is gone by for any puerile attempt to conciliate the Tories. We trust that the invariable plan of the Liberal Government henceforth will be to support their own principles, by preferring their own friends. This is the only way effectually to contend with a powerful faction like that of the Tories, and is essential to promote improvement." The Ministers, their Lordships would observe, had their lesson. They were expressly told they were to use the powers committed to them in such cases for party purposes, and that they were invariably to promote those persons who supported their Government. He hoped and believed the noble Lords opposite would repudiate such doctrines; he had said he believed, because he would not impute to any gentleman conduct of which he would not be guilty himself. He hoped Government had been unwittingly deceived into this course of proceeding; that they had been induced to put themselves into the hands of the two gentlemen he had named in doing that which they had done; but certainly the sooner it was undone the better would it be for the credit of the members for the borough, the Home Secretary, and the Government of which he was a member. The noble Lord then referred to Lord John Russell's circular letter to the town-councils, and said he would appeal to the noble Secretary for the Home Department; he appealed to the noble and learned Lord on the woolsack, who had affixed the Great Seal to the Commission, whether an advisable or becoming line of conduct had been pursued upon the occasion. He had other proofs, which, if not actually conclusive in a court of justice, were quite satisfactory to his mind. He had other proofs on the subject, but he did not think it necessary to trouble their Lordships with them. There was a case at Dover to which he wished to refer. It appeared to be one of hardship and cruelty. At Dover it was well known that there had been some strongly-contested elections for Members of Parliament; there was, consequently, as it might be supposed, a good deal of party spirit in the town. There were some labourers who occupied Government houses within the borough, and the complaint against them, after the recent election of town-councillors, was, that they being employed by Government had voted upon a particular side. Why, what had this to do with the matter? Was it not one of the great objects of this Municipal Reform that the people of each town should have the management of their own affairs, and that every man properly qualified should exercise his own discretion in the choice of those to whom they would commit the guardianship of their interests? But to proceed: a Commission was sent down to Dover. Colonel Leith Hay, Secretary of the Ordnance, and Colonel Fanshawe were sent to inquire. The inquiry was made, and the result of it was, that three labourers who had voted in a particular way received notice to quit their houses, which they held from Government, in a month. On Sunday last, however, a letter was received at Dover, in which these notices were withdrawn. It would appear as if something had occurred which rendered it advisable to recal this act of cruelty. It was also alleged that a storekeeper whose offence was of the same nature, and who had inhabited a house of his own for the last twenty years, had also been treated with unbecoming severity. These were facts, from which he left their Lordships to draw their own conclusion, and to determine whether it had not been intended by the Government to make the municipal elections conduce to the furtherance of political objects. He feared that he must have wearied their Lordships; but he was now about to draw to a conclusion. He knew that a defence to what he had urged would be attempted on grounds which he had before heard put forth in that House—namely, that there had been partiality upon the part of the old Magistrates. He did certainly believe that this was not the fact. A majority of the old magistracy in boroughs might, it was certain, have been of Conservative principles, but if they were to take any Commission of the Peace for any district of the country, they would find that the same might be affirmed of it. And let it not be said that this arose from any refusal to appoint gentlemen sharing the opinions of the present Administration—let it not be said that there was any unfair exclusion. No, the truth was, that three-fourths of the gentry of the country enjoying a station sufficiently high to enable them to belong to the magistracy, were Conservatives. Had he not authority for this statement, which the noble Lords opposite would scarcely think it proper to impugn? He had. In the *Edinburgh Review*, the ablest supporter of the Ministers' politics: the fact was positively and distinctly stated, that of the whole number of individuals enjoying an income of above 500*l.* a-year, the great majority were on the Conservative side. He could certainly say, that in his own county he knew no instance in which a man had been excluded from the magistracy on account of his politics. He was, undoubtedly, acquainted with cases in which individuals, well known as agitators, were refused the Commission of the peace, for it was thought that there could be no worse conservators of the peace than men who were always tempting the people to break it. He could give an instance in which this wise and becoming feeling had operated, without going out of the county in which their Lordships then stood. It should be remembered, that Lords-lieutenant of counties acted under a serious responsibility. They had not alone to see that the peace was preserved, and that justice was duly administered, but that it was administered with decency, and after such a manner, and with such temper and discretion, as should give satisfaction to the people. If, therefore, an individual were not of that character which would enable him to administer justice decorously, and to the public benefit, the Lord-lieutenant was not to be expected to put him on the Commission merely because he asked, nor was it fair to say that such a man had been excluded for his politics. He would then ask their Lordships, was this the way in which this great measure of municipal reform was to be worked out? Were they, indeed, to have in all the boroughs, Magistrates of but one party—Magistrates elected for party purposes—he might almost say for Parliamentary purposes? If this were reform, he would have none of it, if he could help it. He was ready to say, that to all classes of his Majesty's subjects should be accorded equal justice; but he never would be an advocate for a species of reform which declared that one party should have all the power, and that the other should be excluded absolutely. He would again call on the noble and learned Lord on the Woolsack to look to these appointments. The responsibility lay with him. It was a new thing to hear of a Secretary of State interfering in such matters. That noble and learned Lord had fairly and honourable won his high station—had earned his great preferment by diligence, ability, learning, and, he doubted not, every quality which could adorn the office that he filled, and he now called on him not to allow the ermine to be sullied by such appointments. If he refused to sanction them, it would redound to his own honour, and promote the credit of the Government with which he was connected. The noble Lord concluded by moving, "That an humble address be presented to his Majesty, praying that he would be graciously pleased to order that there be laid upon the Table of the House a copy of a circular letter addressed by Lord John Russell to the Town Clerks or other officers of the several Municipal Boroughs; also copies of the lists of persons sent up from the Town Councils as recommended for the office of Magistrate; also copies of the lists of names of persons assented to by the Government and appointed."

Viscount *Melbourne* said, that before he proceeded to make any observations upon the noble Baron's Motion, and before he should offer any remarks upon the facts the noble Baron had adduced—facts concerning which he had certainly received a sort of general notice—but at the same time, as it appeared, facts of such a very particular and minute nature that, under the circumstances, he (Lord Melbourne) could not be expected to be so prepared as at that moment to treat of them—to dilate upon or argue respecting the individual character or peculiar politics of the persons to whom the noble Baron had at such great length alluded,—before he adverted to these matters, or made any observation or remark upon them, he begged to make one general observation, which was applicable to, and, in his opinion, overrode the whole of the noble Baron's speech. That noble Lord's case must be a good one—his arguments decisive, and his conclusion triumphant—for he assumed the facts he stated—he declared what was precisely the character of those individuals; he explained their political opinions; and he declared their unfitness for the offices to which they were promoted. [Lord *Wharncliffe*: "No, no.] Virtually the noble Lord did. He would refer to the noble Lord's observations with respect to the case of Wigan as an instance; but for himself he thought, and would declare, that the whole gist of the matter, must lie in the question, as to whether the persons appointed were or were not fit for their offices. Now, the noble Baron had assumed they were unfit without proof. In fact, the noble Baron had the whole moral character of the nation in his hands, and at his own absolute disposal. He said this set of men are of this character, moral and political—that set of the other character and the other politics. [Lord *Wharncliffe* had said nothing to warrant any such inferences, or such a description.] That was the only interpretation he could put on what had fallen from the noble Lord.

Lord *Wharncliffe* replied, the noble Viscount might interpret it as he pleased, but he (Lord Wharncliffe) had taken especial care to guard against any such misconception. He had not spoken of the characters of these individuals—he had not said one word against their fitness; he had referred to the particular politics of the Gentlemen who were appointed.

Viscount *Melbourne*: Then, for anything the noble Baron knew to the contrary, the persons appointed might be fitting persons, and, if this were the case, there was no foundation whatsoever for the charge upon the part of the noble Baron. But again he would ask, how did the noble Lord know the politics of these men, about whom he spoke so confidently? The politics of individuals were a matter upon which there were perpetual mistakes. The politics of bodies of men were not as the noble Baron would fain describe them, all of one class and complexion. The politics of men were, he repeated, continually mistaken, and by none so much as by those who were opposed to them. He (Lord Melbourne) could not therefore adopt the noble Baron's description of those persons' politics as one that ought to be received as decisive. The noble Lord had committed great exaggeration in his description of the mode in which the Ministers had introduced the Municipal Reform Bill last year. They had not described it as a cure for all evils, and a promoter of all manner of blessings; but they said the old system was bad, and that their intention was to make an attempt to introduce into all the towns and boroughs a better state of things. For his part, he thought the best part of the Bill was that which limited the powers of Justices in boroughs. They were limited to matters of summary jurisdiction. They were prohibited from sitting in Quarter Sessions. But still they did enjoy the power of licensing, which might be objected to, and certainly he should be glad to see it in other hands, so that these individuals might cease to exercise it. Let it be remembered, however, that in the Bill, as it came from the other House, there was another provision for licensing, of which their Lordships did not approve, and perhaps their Lordships did not err in their decision with respect to it. But this, at all events, showed the feeling of Government with respect to the exercise of this formidable power, which extended to licensing the practice of lucrative trades, and still worse, possibly, the putting a check to a trade already established. It would be well to consider if some remedy could not be applied to the evils which had arisen from it. The noble Baron had given a correct account of the Bill upon that point, both as to how it had been sent up, and how it had been corrected by their Lordships; but then the noble Baron went on to condemn a noble Friend of his in the other House of Parliament, because he insisted that it was advisable to take the opinion of the town-council, notwithstanding the alteration made by their Lordships; and unless he had forgotten the debates on the subject, a noble and learned Lord (Lyndhurst) had, whilst he maintained as a principle that the right should remain in the Crown, said at the same time, "Take what advice you please." Therefore his noble friend was, in fact, in what he had done, but following the advice of that noble and learned Lord, and acting in the spirit which prevailed in their Lordships' House. They had been beaten out of giving the town-council the initiatory appointment, but they still thought they were not wrong; they thought it was fitting, that it was best for the due administration of justice, to appoint such persons as were recommended by the town-council. But the noble Baron said they were wrong—that thus they were appealing to a heated body. Ay! this was in cases where persons of particular politics were returned; but, according to him, they were right when they appealed to Tory councils, for they returned proper magistrates. It was only when they appealed to town-councils of a different character that they committed error. As to the case of Leeds, the noble Baron stated that they were guilty of a great error in the appointment of the town-council. [Lord *Wharncliffe*:—Of the Magistrates.] Very well; but his noble Friend (Lord J. Russell) had formed a scale with reference to the population of the boroughs generally, with reference to which he proposed to regulate the number of Magistrates, giving to those of the largest population twenty-four Magistrates, to the smallest four or five. He then also laid it down as a rule that he would not permit any attorney or brewer to be named a Magistrate. He intended not to cast any imputation on persons following those very respectable avocations. His noble Friend's reasons for their exclusion must be sufficiently obvious to their Lordships. Then his noble Friend had written that circular letter for the production of which the noble Baron moved. The last paragraph which the noble Lord read referred to the subject. Touching the municipal elections, their Lordships well knew the feeling under which they took place. There was violent excitement from the state of the country and the peculiar circumstances of the period at which they occurred. But, in his opinion, the prevailing feeling had not so much reference to the great political parties of the state, or to general political opinions, as to local matters; for the old corporations, had, perhaps unreasonably, from their long and exclusive possession of power, become objects of great hate and jealousy to the communities. Was it improbable, or unnatural, or a thing not to be expected, that, under such circumstances, persons who had formed part of the old corporations should not find their names inserted in the new lists proposed by the town-councils, for the purpose of constructing the magistracy? He put it to the noble Lord, considering that the object of the Municipal Reform Bill was to produce harmony, satisfaction, and contentment in the towns—he put it to the noble Lord himself to say whether it would have been wise and prudent to obtrude on the inhabitants in the first instance the very persons who had long been to them objects of jealousy, suspicion, and dislike? He thought it was not to be expected that matters should have happened otherwise than they did, considering the circumstances under which the bill originated and came into operation, and the hot-bed of politics in which it had been engendered [*cheers*]. Noble Lords opposite cheered the expression, but he begged to ask, was that a fault all upon one side, or did they think that the violence had been confined to one party? The noble Baron had said in his speech to-night that he would not cast an imputation on any man that he could not endure himself—he wished his noble Friend had thought of that in his oration at Sheffield —a speech, of which he must say that he would not have made such a one in relation to his noble Friend—a speech which did, by the entire spirit of its argument and inferences, cast the gravest, and he would add basest, imputation upon him and his colleagues. [Lord *Wharncliffe*: "*Hear hear.*"] Well, then, the imputation was avowed, and the noble Lord appeared to think very lightly of the matter. Quite alive to the injuries which we received, we were little sensible of the weight of the blows we gave. He had heard abundance of complaints of the violence of certain speeches in opposition to the noble Lord's politics which had been delivered during the vacation, but he had observed quite as much violence, quite as much foul imputation, quite as much base attack urged by noble Lords opposite, in speeches made in the course of the vacation, as could have been used by any person on the Ministerial side, be he whom he might. To return, it was plain why so few of the old corporation were included in the lists of the new magistracy. It was to be expected that a Bill of this kind, which conferred new powers upon communities actuated by dissensions and jealousies, should be attended in the outset with considerable violence and partiality, but in the course of time those animosities and dissensions would be softened down and die away, and the whole would end in producing a fair representation of the towns, and tranquillity and good government. The noble Lord had assumed that in many cases the persons selected as Magistrates were unfit for their situations; now, he understood from his noble Friend, the Secretary of State for the Home Department, who had inquired into the subject, that he had the best reason for believing those individuals to be in every respect qualified for the office. His noble Friend had taken the greatest pains to ascertain the fittest and ablest persons; it was impossible to say that in some instances he might not have been deceived, but on the whole there was good reason to think that his noble Friend's list contained the names of gentlemen of respectability, who would discharge their duty well, and do credit to the situation in which they were placed. As to the case of Leeds, he understood that the first list sent up by the town-council was supposed to consist entirely of persons of one side in politics, and that on a deputation waiting on his noble Friend, he did select three persons who the noble Lord said did not differ in politics from himself. [Lord *Wharncliffe* only one of the old corporation was in the original list; and only one of the three individuals could be expected to act.] It was true the noble Lord had spoken of a surgeon in full practice, who probably would not act, but that gentleman had undertaken the office, and the inference was that he did not think the duties of it incompatible with his situation. However, if this or any other gentleman should not act, and the number of acting Magistrates were found insufficient, others might be appointed. With respect to Liverpool, the only charge made by the noble Lord was, that none of the old corporation was upon the list of Magistrates. Now, he did not wish to go into the political opinions of individuals, because nothing could be more uncertain, but he believed that persons who did not support the present Government had been added to the list by his noble Friend. As to Guildford, twelve individuals had been recommended by the town-council, of whom two had been excluded by the rule adopted by his noble Friend though not rigidly acted on; and out of the remaining ten, four were selected, with respect to whose political opinions he did not possess at present accurate information, but he believed that his noble Friend had acted in this, as in other cases, on the principle of securing such a body as would administer justice impartially, and discharge every duty of the office to the satisfaction of the people. With respect to Wigan, he was not acquainted with the circumstances of the case, but believed that the whole question proceeded on the fitness or unfitness of the individuals selected. The memorialists assumed their unfitness, as did the noble Lord. [Lord *Wharncliffe*: No; all that was asked for was inquiry]. His noble Friend, however, acting on the information he had received, thought he had made no improper choice. The case of Rochester the noble Lord had stated correctly; the town-council was equally divided—no mayor, aldermen, or magistrates could be nominated or chosen. In this state of things a representation was made to his noble Friend that Magistrates were wanted, and his noble Friend concurred with the hon. Gentleman mentioned by the noble Lord, and appointed six individuals, one of whom was brother to a collector of Customs. [Lord *Wharncliffe*—He was a collector of Customs himself.] That was a question of fact, which might be ascertained hereafter. But the case of Rochester had not been permanently settled by his noble Friend. His noble Friend had appointed Magistrates because it was necessary; but when the Council should be able to act, he had it in his power to consider what juster measure might be adopted with respect to the constitution of the magistracy. His noble Friend had acted in conformity with the expressed opinion of Parliament and on his own principles, and adopted that course which he thought best fitted to give real effect to the Municipal Reform Bill, and ultimately to afford real satisfaction in the corporations, by providing for the fair and impartial administration of justice. With respect to the noble Lord's motion, he could have no objection to produce the letter written by his noble Friend to the Town Councils, neither did he object to furnish lists of the Magistrates who had been ultimately appointed; but with respect to the second part of the noble Lord's motion, which was for the production of the lists sent up by the town-councils to the Secretary of State, he would entreat the noble Lord to consider whether it was prudent to press it, especially as the production of these documents had not been pressed for in another place. Those lists were evidently intended to be in the nature of confidential communications, like the recommendations from Lord-Lieutenants relative to the appointments of Magistrates. If they were produced, it would appear that some individuals recommended by the town-councils had not been appointed, and it might seem a slur on those Gentlemen if the lists were laid on the Table and conveyed to the public. He knew the noble Lord would say, that these lists were very well known in the towns in question, but he begged the noble Lord to consider that his own argument proceeded on the supposition that there would be a better spirit abroad hereafter, and that the present violence would not continue; and this being the case, it followed, that though the lists had been made public now, they might not be promulgated in future, when the councils would be more conversant with their duty, and better able to perform it, through the absence of party spirit. He therefore thought that the noble Lord had better not trench on the improved course of conduct which might be hereafter pursued, by pressing for the production of lists which were not necessary for his own purpose. With the single exception stated, he had no objection whatever to the noble Lord's motion.

The Earl of *Winchilsea* could not refrain from offering to the noble Baron, who introduced the discussion, his sincere thanks for having brought the question under the consideration of Parliament. It was impossible for any one, not influenced by the strongest party feeling, to deny that it was a question of the deepest importance, affecting the liberties of the country. It had been truly said by the noble Baron, that the professed object of the measure under discussion was to produce peace and harmony in the Municipal boroughs, by destroying the power vested exclusively in one party. Now he would appeal to the House whether in any one way it had tended to produce such a result; or whether it had not in reality effected a direct transfer of power from one party to another? The noble Viscount at the head of his Majesty's Government had endeavoured to attach to his noble Friend (Lord Wharncliffe) an imputation which his noble Friend had never made, against certain of the lists of Magistrates, on the ground that none of the old corporators were therein included. The charge was this, that the Magistrates who had been appointed were almost exclusively of one political party. In the case of Rochester the parties in the town-council were equally divided; there was no corporation; and it was agreed that no list of Magistrates should be sent in. The noble Lord, the Secretary for the Home Department, in such a case ought not to have selected six of one party, but have included in his list some professing the same political opinions with, if not the majority, at least an equality, of the town-council. Thus, then, the measure had been found, so far from producing the salutary effects of rooting out old animosities and dissensions, which had been anticipated, to have a directly contrary tendency, and, as these municipal elections were annual he doubted not that the ultimate consequence of the measure would be to keep up a continual and most injurious state of excitement and animosity, when its professed object was to produce peace. The Municipal Corporations Bill of last Session would undoubtedly be an instrument of power in the hands of his Majesty's Government; the Magistrates were to be selected with reference solely to party feeling; and there was no one who could doubt the Parliamentary influence of Magistrates in a municipal borough; every noble Lord must know very well that they did possess very considerable Parliamentary influence; and thus the certain effect of the Bill would be to increase the political power of his Majesty's present Ministers. He trusted that his noble Friend would not withdraw any part of his present motion; the list, the production of which had been objected to, was not, he maintained, a confidential list; it was already made public, and could not, therefore, now be refused on any grounds of confidence. There was one doctrine which had been laid down in the course of his speech by the noble Viscount at the head of his Majesty's Government, which appeared to him (the Earl of Winchilsea) most strange and unconstitutional. The noble Viscount had said, that their Lordships had altered that part of the Bill, which vested the appointment of Magistrates in the town-councils, and had then added, that although Parliament had decided that the clause should not constitute part of the Bill, yet his Majesty's Government had deemed fit to act upon the principle contained in that clause. Why, it was useless for their Lordships to deliberate on any measure—it was useless for Parliament to sit at all— if any individual holding at any time the reins of Government might be at liberty to say, you have made such an alteration, but, nevertheless, in spite of that, we will act upon the principle which you have condemned. He should not trespass further upon the attention of the House than to express a hope that his noble Friend would not withdraw his motion.

The Duke of *Wellington:* My Lords, upon the present occasion, the subject being one which I have observed has excited very great interest in the country, I am anxious to offer to your Lordships a very few observations; and, first, I must beg leave to suggest to the noble Viscount opposite, that he has totally omitted in his consideration of the present Question one very important principle, which was frequently laid down by that noble Lord, and other noble Lords on his side of the House, particularly a learned Baron who is now absent, during the discussion upon the measure last Session, viz., the extreme importance of dividing the administration of justice from the Municipal Government of the Corporations—the extreme importance of carrying that principle into effect by the Bill then under consideration. It was with that motive my Lords, and for the furtherance of that object, that I gave my vote in favour of vesting exclusively in the Crown the appointment of the Municipal Magistrates. The principle of the exclusive nomination by the Crown having thus been assented to both by this and the other House of Parliament, I confess, my Lords, it does appear to me that the noble Lord, the Secretary of State for the Home Department, ought never to have been induced to make that declaration which he made in the other House respecting the course which he should think fit to pursue in the nomination of Magistrates; in the propriety of that declaration I cannot concur, because it is a declaration entirely inconsistent with the principle of the measure as it received the Royal Assent; and because it is entirely inconsistent also with another principle of law, which is this—that it is the duty of the Lord Chancellor, and not of the Secretary of State, to advise the Crown as to the appointment of Magistrates. I do not say, that he may not take the advice of this council or that, but I do say, that it is my Lord Chancellor whose duty it is to advise the Crown upon the subject—that it is my Lord Chancellor who is responsible to this and the other House of Parliament for the appointment of persons fit and proper for the administration of justice in the country. The nomination of the present Magistrates has not given general satisfaction. The statements of the noble Lord himself have clearly proved that it was a party nomination. Is there any man in this House who does not believe that it was a party nomination? And these are nominations made by the Secretary of State, while the Lord Chancellor is the person who ought to have advised the Crown as to the appointments. This, my Lords, is a subject well deserving the serious attention of Parliament, because I do say, that the conduct of the noble Lord, the Secretary of State, is quite and irreconcileably inconsistent with the principle of the measure. I know that the nomination of Magistrates which has been made by his Majesty's Government has produced very great dissatisfaction in many parts of the country. There are many parties who feel strongly that they are not likely to have justice fairly and impartially administered to them—to have their rights and interests duly protected—or their affairs satisfactorily administered. Under the circumstances, I beg also to return my sincere thanks to my noble Friend for having brought the subject under the consideration of the House.

The *Lord Chancellor* said, that the noble Duke who had just sat down had thought it right to remind him of his duty. Of that he did not complain; but he would take the liberty of stating, that he was fully aware of the responsibility under which he stood, before the noble Duke had thought fit to remind him of his duty. It was singular that the noble Duke should have thought that necessary in the particular instance, since he (the Lord Chancellor) had but a very few days before stated precisely the same doctrine in their Lordships' House as that laid down by the noble Duke. The noble Baron (Baron Wharncliffe) had urged that the responsibility for the appointment of Magistrates rested upon the holder of the Great Seal; but, then, in the case of counties, the noble Lord held it to be a dereliction of duty not to take the nomination of the Lord-Lieutenant. It was impossible for the individual holding the Great Seal to perform that branch of his duty in any other manner than by applying for advice to those whose local knowledge enabled them to form a more fair and accurate judgment upon the fitness of persons for the office than he himself by any possibility could. In the case of counties, it was natural to apply to the Lord-Lieutenant as a person best calculated to acquire the necessary information for arriving at a correct conclusion. It was then the duty of the Lord Chancellor to consider well his advice; but if, after due deliberation, he could not concur in the opinion of the Lord-Lieutenant, he was then bound to act upon his own unfettered judgment. If that doctrine, then, was true with counties, was it not equally so with towns? They must go for advice to those whose local information rendered them the best judges as to the qualifications for the office. But what said the noble Lords opposite? They would urge us to go, not to the majority for advice, but to the minority, and to act upon the opinions of that minority. It did so happen that in certain counties there was a large majority of persons of one way of thinking, with a Lord-Lieutenant of the same opinions, and there a very great majority of the Magistracy would be also found of the same opinion; and the result, therefore, was, according to the noble Lord's opinion, that where there was a majority of persons of one opinion there should be found also a majority of Magistrates of the same. But when the noble Lord came to the question of towns and not counties, he was then surprised that, when it was admitted the great majority of the people were Liberals, there should be a great majority likewise of liberal Magistrates. In short, with the noble Lord the doctrine was excellent in respect to counties but quite the reverse as to towns. For his own part, he admitted most fully, that it was very proper that there should be a fair admixture of persons of both parties in the Magistracy; and he might be permitted to state, that the interference of the Secretary of State had never been employed but for the purpose of infusing into the constitution of the body a certain number of persons opposed in politics to the present Government. [*"No, no."*] Whether the noble Lord believed him or not, his statement was as much entitled to credit as those of the noble Lord himself. The case of Dover had nothing whatever to do with the appointment of Magistrates. In reference to Rochester, it was perfectly obvious that by no possibility could Magistrates have been appointed, the town-council being divided, but in the method which had been pursued by his noble Friend the Secretary of State. For his own part he was perfectly willing to admit the responsibility which rested upon the holder of the Great Seal, a responsibility from which he would not shrink. The noble Baron had admitted, that there was no complaint against the appointment so far as the individuals themselves were concerned. What then did his objection come to? Why to this—assuming that there was a preponderance in the lists in favour of one party, he complained that the uniform leaning was to that line of politics opposed by the noble Baron and noble Lords who sat on the same side of the House. Now, could the noble Lord think it advisable that the Magistracy should lean to the opinion of the minority? In respect to counties, the noble Baron admitted the converse; and he (the Lord Chancellor) would again ask, why should not the same principle be applied to towns? In conclusion, he begged to say, that the charge brought against the Government seemed to him to have fallen wholly to the ground.

The Earl of *Ripon* doubted not that the noble and learned Lord had been and would continue to be actuated by the best motives; but he could not concur with his noble and learned Friend in thinking, that because it was fit the holder of the Great Seal should consult with the Custos Rotulorum as regarded the appointment of county Magistrates, it therefore followed that a similar course ought to be adopted in the case of town-councils. The two cases were as different as possible. There was this fundamental danger in making application for advice to town-councils—that under such a system it might become a matter of canvass among persons desirous of the office of justice to obtain the nomination of the councils. If this plan should be persisted in, there could be no security that the persons hereafter elected Magistrates would be free from the taint of those party passions and prejudices which were utterly incompatible with the due and impartial administration of justice. He considered it to be a most unfortunate circumstance that this letter should have been written at the period when it was, for it could not be denied that the circumstances which attended the passing of the Municipal Corporation Reform Bill through that House had led to considerable excitement in those places which were to be affected by it. That was the very reason why it was most imprudent on the part of the Government to call upon those bodies to elect their own Magistrates, when it was evident that the Magistrates themselves could not be free from the passions and prejudices under which all were labouring. He hoped that their Lordships were not to consider that unfortunate letter as intended to be a Standing Order for all town-councils in future. If that letter were so to be considered, he should augur worse than he ever yet had done of the consequences of that Bill which he had honestly and conscientiously supported. He should think that its character was altered—that its benefits were destroyed—and that its positive mischiefs were most grievously enhanced.

The Marquess of *Salisbury* had previously complained, and must then reiterate his complaint of the Secretary of State for the Home Department, for having inserted in the Commission of the Peace the names of several persons who had not been recommended by the Lords-lieutenant of the counties in which they were to act as Magistrates. He considered such conduct to be unconstitutional. No Lord Chancellor had ever yet interposed his authority in such a manner, and he considered such an interference on the part of the Secretary of State far more offensive and far more objectionable. He thought that there was a very great difference between allowing the Lords-lieutenant of counties to appoint the county Magistrates, and allowing the town-councils to appoint the borough Magistrates. The former were responsible for their appointments, but where was the responsibility of the latter bodies?

The Marquess of *Lansdowne* was desirous that their Lordships and the country should understand that his noble Friend, the Secretary of State for the Home Department, had no intention to set aside the declaration of Parliament, or to act contrary to the spirit of the Municipal Reform Act. His noble Friend was, at the time alluded to, engaged in what he should ever consider the laudable task of reconciling the differences which had arisen between the two Houses of Parliament as to that Act; and he knew of no course that could be considered more expedient than that of letting it be perceived in the other House, that though their Lordships differed from it as to the source from which they thought that these appointments ought to emanate, there was still an opportunity left to the advisers of the Crown, of going to that source from which the House of Commons thought that these appointments ought to come. In doing so, his noble Friend did not on his own behalf, or on the behalf of the Government, abrogate or renounce the right of the Crown to exercise that nomination, nor did he shrink or recoil from the responsibility of exercising that right as one of its Ministers. His noble Friend had done that which he believed all future Ministers would do. He had taken means in the different local quarters to procure information as to what course it would be most safe to adopt, but had reserved to himself, the right to inquire further for himself and to take away from, and to add to, the list of persons recommended for the discharge of these local functions. It was most desirable that those functions should be discharged, as his noble Friend had well expressed it, free from the taint of any local or general prejudices. He was afraid, however, that it was scarcely practicable to find any source so pure as to forward recommendations fitted for such a purpose. He knew that the heats of party and local contests must prevail over such recommendations; for he could confirm the observation which had fallen from his noble and learned Friend on the Woolsack, that in a great majority of cases the interference of the Crown with the recommendations made to it by the town-councils had been to secure the introduction into the Magistracy of persons opposed to his Majesty's Government in politics. His noble Friend, the Secretary of State for the Home Department, had legitimately interfered for this purpose. He lamented that it was necessary for a Secretary of State to consider the politics of the persons so recommended to him, being convinced that all the good effects which Ministers anticipated —not rapidly and immediately, as the noble Baron had represented, but ultimately—from the Bill would not be accomplished until the qualifications of persons to discharge magisterial functions were considered on principles separate from political considerations. That could not be the immediate result, but he was certain that, in the working of the measure, when the heats of the moment should have subsided, this would be the view taken not only by the King's Government, but also by these corporations. He was the more sanguine in his expectations upon this point, as this was the view taken already by many of the new town-councils under the heats at present prevailing. The noble Duke had said—and if it were true to the extent which the noble Duke had mentioned, he should lament it exceedingly—that these recommendations were almost universally of a party character. He regretted it, if it were true, in some instances, but he had no hesitation in stating that, speaking of the corporations generally, it was not true. He could assure the noble Duke that a great number of cases might be brought forward in which town-councils, where there was a decided number of persons holding opinions of one complexion, and that too the Whig complexion, had seen the justice and propriety of mixing with their recommendation the names of gentlemen as Magistrates who entertained political sentiments widely different from their own. It would be tedious to enter into details, but as every one spoke of the town with which they were best acquainted, he might, perhaps, be forgiven for mentioning what had occurred in a borough in his own neighbourhood. In one of the principal towns of Wiltshire—he meant Devizes—after all the heat of a bitterly contested election, a decided majority of the council being of Whig politics, had, as their first act, sent in a list of Magistrates, consisting of an equal number of persons of different political opinions. That had also been done, he could add with pleasure, in a borough where a majority of Tory councillors had been elected. He thought that this was consistent with good sense and good feeling; and, being so, he trusted that it would form an example which the new corporations in general would be eager to follow. The noble Marquis concluded by addressing a recommendation to town-councils to exclude party feelings in future from their considerations, and to select such persons for Magistrates as were best calculated to perform magisterial duties firmly, honestly, and effectually.

Lord *Wharncliffe,* in reply, expressed the satisfaction with which he had listened to the speech of the noble President of the Council—a speech which was a complete answer to the speech of the noble Viscount at the head of his Majesty's Government, and to that of the noble and learned Lord on the Woolsack. There was not a word in the latter part of the speech of the noble President of the Council, of which he could express the slightest disapprobation. The case of Guildford was entirely opposed to that of Devizes. In that case Ministers had struck out the names of those Magistrates who were opposed to them in politics. "But, before I go into the general question," said Lord Wharncliffe, "I must call on the noble Viscount to be a little more explicit than he has hitherto been in the attack which he has made on me in regard to a speech which he says that I delivered at Sheffield. To what part of that speech did the noble Viscount allude? Was it to that part of it in which I alluded to the Irish Tithe Bill?"

Viscount *Melbourne:*—To the whole of that speech, and to the statement, by inference, that we on this side of the House have abandoned and given up all our principles to please those gentlemen whom the noble Baron has chosen to denominate Radicals. The noble Baron says, that the Radicals have not given up their opinions; and therefore he infers, as a matter of course, that the Whigs have given up theirs. That for the sake of power, and place, and emolument—[*"No," from Lord Wharncliffe.*] — Yes. I have seen that charge; if not in the noble Baron's speeches, in other speeches, and especially in one made by a noble Lord, a very near relative of his. That for the sake of power and of place, and of base lucre, it is so; I can produce the report—we have given up all our principles. I do not object to this. Everything, I suppose, is fair in politics. Every sort of abuse, I suppose, is fair in politics. But, at the same time, I must say, that when noble Lords of high character, of great influence, of most amiable manners, and most Christian principles, find themselves betrayed in the violence of the moment, by the heat of party animosity, into casting such base, and odious, and groundless accusations on others, they should have some consideration for those who may be acting under the impulse of equally warm feelings on the other side. What I complain of is, that the noble Baron says, that I and those with whom I have the honour of acting in the Government, have given up our principles entirely to other persons, for the sake of maintaining ourselves in place, and in the emoluments attached to place. I beg leave to tell the noble Baron that his deductions have failed, and that his powers of reasoning, eminent as they are in other cases, have in this case led him to a false conclusion, and that it is not true that we have sacrificed any principle, or any opinion, to any persons whatsoever.

Lord *Wharncliffe* ; I do not recollect that the noble Viscount was ever attacked by me in the terms which he has just quoted. The noble Viscount says, that I have accused his Government and the Whigs generally of having sacrificed their principles and given them up to please some other persons. Now I am not singular in that opinion. Other persons have publicly said so. Have they not said, "We have not changed our opinions, the Whigs have changed theirs; the Whigs of to-day are not the Whigs of yesterday. We have not gone to the Whigs—the Whigs have come to us ?" I would ask the noble Viscount to reject, if he dares, the support of those who say he has gone over to them, and that they have not come over to him. Will he dare to reject them ? If he will not, I have a right to say that he has gone over to them. As to my saying that he has done this for the sake of emolument, I doubt much whether such an expression ever fell from my lips. I do not believe that it ever did; for I do not think now, nor did I ever think, that the public men of this country are swayed by such motives. I may have said, and I believe that I have said, that the present Government was kept in office by the assistance of persons holding extreme opinions—opinions which are now repudiated by the noble Lords opposite, but which those persons tell us have been adopted and are now adopted by his Majesty's Ministers. The noble Viscount had said—Lord Wharncliffe continued—that he had objected to the majority of the Magistrates being of the same political opinions with the town-councils which had recommended them. He had done no such thing. He had said that there appeared to be adopted in these new town-councils that same principle of exclusion which had been the main cause of the reform effected in the old corporations, and he had regretted that that bad principle should be continued under the new system. The noble Viscount had also said that he (Lord Wharncliffe) did not ground his present motion on the impropriety of the appointments which had been made. Now he had distinctly said that it was not his intention to find fault with individuals. The only individual appointed a Magistrate, to whom he had referred by name was the collector of Customs at Rochester. It was not as an individual that that appointment was improper. Individually that gentleman was a very proper person to act as Magistrate; but on other grounds his appointment was highly objectionable. A person connected with the collection of the revenue was the last person to be appointed a Magistrate at Rochester, where the majority of offences which came before the Bench were offences against the revenue. In his opinion, the statement which he had made in bringing forward this motion was not in the slightest degree affected either by the answer of the noble Viscount, or by that of the noble and learned Lord on the Woolsack. He had made this motion first of all to check this practice, which it was evident that the noble Lords on the Ministerial Bench themselves felt to be improper; and here he must say that he had been much comforted by what had fallen on this subject from the noble President of the Council. He had also made this motion, because their Lordships were shortly to have introduced to their consideration a Bill for reforming the municipal corporations in Ireland. He hoped that their Lordships and the public would take warning from what had occurred under this Bill. It was intended to have pledged their Lordships to proceed on the same principles in reforming the Irish corporations which had been laid down in the English Bill. But that intention their Lordships had fortunately frustrated on the first night of the Session. That the municipal corporations in Ireland required reform, even more than the municipal corporations in England, no one was more ready to confess than he was. He would, however, take care, as far as in him lay, and he hoped that their Lordships would also take care, as far as in them lay, that the Irish Corporation Reform Bill should not be perverted to party purposes, and that it should not place power in the hands of a particular party in Ireland. If the noble Lord persisted in his objection to produce the list of the parties recommended by the town-councils, he would wave it as it was not material for him (Lord Wharncliffe) to have that information in an official shape, as he could at any time procure it by looking to the files of the provincial newspapers.

The address was agreed to.

HOUSE OF COMMONS,

Tuesday, February 23, 1836.

RAILWAYS.] Mr. *Poulett Thomson* said, that in consequence of the adoption by the House last night, of his proposition for the appointment of a Select Committee, and the putting off the second reading of all Railway Bills fixed for that night, until Monday next, he now rose to propose a series of resolutions which would have the effect of placing those Bills in the same position, as if no such postponement had taken place. The right hon. Gentleman moved Resolutions to the following effect: That the House would not receive any petition upon a private Bill relative to compliance or non-compliance with the standing orders, subsequent to the second reading of such Bill—that the House would not receive any such petition relative to any Railway Bill, notice for the second reading of which had been given previous to Monday next—that it should be a standing order of the House, that seven clear days should intervene between the second reading of all Railway Bills, and the sitting of the Committee, and that in the cases of the Bills that had been postponed, the said seven days should be allowed from the day originally fixed for the second reading of such Bills, as if they had been then read a second time.

Resolutions agreed to. To be entered on the Journals.

MR. BUCKINGHAM'S COMPENSATION.] Mr. *Tulk*, after stating that Mr. Buckingham's Compensation Bill was similar to that brought forward last year, moved that it be read a second time.

Sir *Robert Inglis* wished to know from what fund the proposed compensation could be provided?

Mr. *Tulk*: from the funds of the East-India Company.

Mr. *Lawson* felt it his duty to call the attention of the House to the manner in which this case appeared to have been got up. A few weeks ago he received a packet inclosing to him the draught of a petition in favour of this Bill, and requesting him to present it to his constituents for their signatures. He could not help thinking that this was a most unusual and unparliamentary mode of procuring petitions in favour of a private Bill. The note that accompanied the petition sent to him was from Mr. Buckingham. It conveyed to him that Gentleman's compliments, and requested that he would transmit the petition to his constituents for their signatures. This practice of one Member addressing another, and asking him to get up petitions in favour of some private claim of that individual Member, would, if carried to any extent, lower the character of that House in the eyes of the country at large, and it was a practice, in his opinion, more worthy of an American Congress than of a British House of Commons. He begged leave to move, as an Amendment, that this Bill be read a second time that day six months.

Mr. *Poulter* said, that though he opposed this Bill last Session, yet, upon an accurate examination of the subject, he considered himself bound now to give it his support. Looking at the whole of the case, it appeared to him that Mr. Buckingham had been induced to set up the *Calcutta Journal* on the strength of the principles then avowed by the Governor-General of India, and that those principles had been afterwards violated by the course of proceeding adopted towards Mr. Buckingham. It was no small testimony to the merits of Mr. Buckingham's publication, that a noble Lord of high character, late Governor-General of India, and now a Member of that House, had, in a letter addressed to Mr. Buckingham, expressed his regret that such a publication did not exist during his government. He thought that a case was made out to call upon the House to give an equitable compensation to Mr. Buckingham.

Mr. *Vernon Smith* said, that in the absence of his right hon. Friend the President of the Board of Control, who was obliged to give his attendance elsewhere, it devolved upon him to state the course which the Board of Control felt it their duty to adopt in this instance. Seeing the manner in which the House had, last Session, carried the Bill through the first and second readings, notwithstanding the opposition offered to it then by the Board of Control, his right hon. Friend despaired of making any effectual opposition to it in those stages this Session, and he had therefore not intended to oppose it in those stages. It was not that his right hon. Friend had at all altered his opinion on the subject; he was as strongly impressed as ever with a sense of the gross injustice of calling upon the East-India Company to grant a compensation of this kind. He himself had gone carefully through the whole of the case, and he was convinced that if hon. Members had taken the same pains to make themselves acquainted with its merits, they would be of his opinion, that Mr. Buckingham had no claim in justice on the East-India Company. If the hon. Gentleman opposite should persevere in his motion, he (Mr. Smith) would certainly vote for it. If that Amendment should not be carried, he would move that the petition from the East-India Company against the Bill should be referred to the Middlesex list, to which, of course, this Bill would be referred, and that they be heard by counsel against the Bill before the Committee. In that way the House would be put in possession of the facts of the case. The East-India Company had a right, as the law stood at the time, to act as it did in the case of Mr. Buckingham. The House of Commons was not a fit tribunal to decide a legal claim of this kind, which Mr. Buckingham had never brought before a court of law. The sending round petitions for signatures in its favour on grounds that should never have been brought forward, was, to say the least of it, unparliamentary.

Mr. *Roebuck* said, that sitting there a Member of the British House of Commons, and as such intrusted with the care of the interests, not merely of the people of England, but of the people of Hindostan, he must oppose this Bill. What did it propose to do? It proposed to make the people of Hindostan pay for the exercise of a discretionary power on the part of their Government, which power they (the people of England) had themselves, by Act of Parliament, placed in the hands of that Government. If Mr. Buckingham had been unjustly treated, and if he was entitled to compensation, let the people of England pay it — let it be put in the estimates, and brought forward by the Government, but let them not come down upon the East-India Company for it, because they had exercised a discretionary power vested in them by the Parliament of England. He had himself issued a publication—he had dared the Government to prosecute him; he did not mean to say he had violated the law, but if he had done so, if the Government had prosecuted him, and had obtained a verdict against him, with what face could he come to Parliament and ask for compensation? Why, Messrs. Cleave and Hetherington had as undoubted claims on the Parliament of England as Mr. Buckingham, and if this Bill should pass, he would recommend them to petition the House for leave to bring in a Bill claiming compensation from the British people for the injuries done to them in consequence of having violated an Act of Parliament. No man had a right to claim compensation for the consequences brought upon himself by a breach of the law.

Mr. *Robinson* said, that last year he had opposed this Bill, and he saw no reason to alter his opinion of it now. It was proved by the counsel of the East-India Company last Session, that Mr. Buckingham had been over and over again warned that if he persevered in the course he was pursuing, he would subject himself to the measures which the Government of India found it necessary finally to adopt in his case. What weight was to be attached to the petitions presented in favour of this Bill, when the parties signing them were told that the people of Hindostan would have to pay the money? No doubt half the people of England would sign those petitions when told so. It would be a different thing, however, if they knew that the money was to come out of their own pockets.

Major *Beauclerk* supported the Bill, and denied that Mr. Buckingham had been guilty of any breach of the law in India. If the hon. Member for Sheffield had what was called "a tail," less opposition would be made to this claim.

Mr. *Pease* thought the House bound in justice to procure satisfaction for Mr. Buckingham, who had been the victim of the tyrannical proceedings of the Indian Government.

The House divided on the second reading: Ayes 81; Noes 125—Majority 44.

List of the Ayes.

Aglionby, H. A.
Attwood, T.
Baines, E.
Baldwin, Dr.
Barnard, E. G.
Beauclerk, Major
Bentinck, Lord W.
Bewes, T.
Blackburne, J.
Bodkin, John James
Brady, Denis C.
Brodie, W. D.
Brotherton, J.
Brudenell, Lord
Cayley, E. S.
Crawford, W. S.
Divett, E.
Duncombe, T. S.
Dundas, J. D.
Elphinstone, Howard
Etwall, R.
Ferguson, R. C.
Fielden, J.
Finn, W. F.
Fitzsimon, C.
Fitzsimon, N.
Gaskell, D.
Goring, H. D.
Guest, J. J.
Harland, W.
Harvey, D. W.
Hector, C. J.
Hoskins, K.
Hume, J.
Jervis, J.
Kemp, T. R.
Lampton, H.
Langton, Col. G.
Lister, E. C.
Lynch, A. H.
Macleod, R.
Maule, Hon. Fox
Maxwell, J.
O'Brien, W. S.
O'Connell, D.
O'Connell, J.
O'Connell, Maurice
O'Connell, M. J.
O'Connor, Don
Palmer, C.
Parrot, J.
Pease, Joseph
Pechell, G. R.
Phillips, Mark
Poulter, J. S.
Power, James
Pryme, G.
Roche, W.
Ruthven, E.
Ruthven, E. S.
Sanford, E. A.
Scholefield, J.
Scott, J. W.
Seale, Col.
Sheil, R. L.
Steuart, R.
Strickland, Sir G.
Stuart, Lord Dudley
Talbot, J. H.
Talfourd, T. N.
Thorneley, Thomas
Tooke, W.
Trelawney, Sir W.
Wakley, T.
Wallace, R.
Walter, J.
Wason, R.
Wilks, J.
Winnington, H. J. E.
Wood, Alderman
Wrightson, W. B.

TELLERS.

Warburton, H.
Tulk, Charles A.

List of the Noes.

Acheson, Viscount
Alsager, Richard
Angerstein, J.
Archdal, General
Ashley, Lord
Barclay, C.
Baring, F.
Beckett, Sir J.
Bell, M.
Berkeley, C.
Bethell, R.
Bonham, F. R.
Bramston, T. W.
Brownrigg, J. S.
Bruce, C. L. C.
Bruen, Col. H.
Bruen, Francis
Buller, Sir J. Y.
Burrell, Sir C. M.
Burton, H.
Callaghan, D.
Campbell, Sir H.
Chandos, Marquess of
Chaplin, T.
Chetwynd, Captain
Chichester, J. P. B.
Clive, Robert
Colborne, N. W. R.
Compton, H. C.
Conolly, E. M.
Cooper, Hon. A.
Coote, Sir C.
Cripps, J.
D'Albiac, Sir C.
Dick, Q.
Dunbar, George
Egerton, W.
Egerton, Lord F.
Entwisle, John
Fielden, W.
Finch, G.
Fleming, J.
Foster, C.
Freemantle, Sir T.
Geary, Sir W.
Gladstone, W. E.
Gladstone, T.
Graham, Sir J. R. G.
Grant, F. W.
Greisley, Sir R.
Grey, Col.
Halford, H.
Halyburton, D. G.
Halse, J.
Hanmer, Sir J.
Hardinge, Sir H.
Hardy, J.
Hayes, Sir E.
Hogg, J. W.
Hope, Hon. J.
Hope, Hon. T.
Horsman, E.
Hotham, Lord
Houldsworth, T.
Howard, P. H.
Inglis, Sir R. H.
Irton, S.
Johnston, J. J. H.
Jones, Captain
Kearsley, J. H.
Knatchbull, Sir E.
Knightley, Sir C.
Lawson, A.
Lees, John F.
Lefroy, A.
Lefroy, Dr. T.
Lennox, Lord G.
Lennox, Lord A.
Lincoln, Earl of
Longfield, R.
Lushington, S. R.
Lygon, Col.
Mackenzie, J. A. S.
Maclean, D.
M'Taggart, John
Mahon, Lord
Mangles, J.
Methuen, P.
Mordaunt, Sir J.
Mostyn, E.
Packe, C. W.
Paget, F.
Parker, M. E. N.
Patten, Wilson
Pelham, C. A.
Penruddock, J. H.
Perceval, Col.
Pollock, Sir F.
Robinson, G. R.
Roebuck, J. A.
Sanderson, R.
Sandon, Lord
Scott, Sir E. D.
Sheppard, T.
Sibthorp, Colonel
Smith, R. Vernon
Smyth, Sir G. H.
Somerset, Lord G.
Stanley, Lord
Stuart, W. V.
Tancred, H. W.
Thomas, Col.
Trevor, A.
Troubridge, Sir T.
Verner, Sir H.
Vesey, Hon. T.
Vivian, John Ennis
Wall, B.
Welby, G. E.
Wilbraham, R. B.
Williams, R.
Wodehouse, Hon. E.
Wood, C.
Wrottesley, Sir J.
Young, G. F.

TELLERS.

Clerk, Sir G., Bart.
Ross, C.

Colonel Bruen—Carlow.] Colonel *Bruen* said, Sir, after several disappointments I eagerly seize the first opportunity of claiming from the House that indulgence which it usually grants to Members who have the misfortune to be placed in a situation similar to that in which I stand—if, indeed, any Member ever was the subject of such foul and false attacks—coarser epithets might be applied, but I refrain from following a vile example. Were it a matter of mere private concern, were my own character simply implicated, I should feel, however anxious I might be to repel such aspersions, that this was not exactly the time to do it. But when I—(and who does not?) perceive the reason why these accusations were brought forward, I feel that I should neither be doing justice to myself, to the electors who sent me here, nor to the public, if I did not put the House shortly in possession of the real state of the case—at least of the leading facts connected with it. At the same time I am well aware that these things can by no possibility be in any way connected with the charge against the learned Member for Dublin—they have nothing in the world to do with it. Grant, for a moment, that all the allegations were proved—how could that authorise or justify the offence charged? I am persuaded there is not one hon. Gentleman who hears me who will for a moment suspect me capable of deliberately making an untrue statement; neither would common sense permit me to make so false a movement in the face of such an enemy. If, therefore, I shall state anything in error, or omit to mention what I should fairly bring forward, the House will in candour consider the peculiar difficulties of my position, and judge accordingly. Conceiving from former misrepresentations that it might be possible that an attempt might be made to divert the attention of the House and of the public by an attack on myself and other landlords, I wrote to Ireland for an account of all tenants that had been ejected on my estate for the last five years, thinking that period sufficiently extensive to embrace all the cases that could be brought forward; I have accordingly received that account. I find several of the same townlands mentioned in both; therefore take it for granted that the cases are identical in my return and Mr. Vigors's petition. Although neither names nor yet dates are mentioned in his, I will commence with those in my list, and advert to the others afterwards; although, even if they were truly represented they must have occurred long before any of the clauses stated in the petition were in operation. Having premised so far, the first name that occurs is that of Ballyteglea. This case has been dwelt upon (by an individual mentioned with high eulogy by Mr. Vigors) at every election at Carlow for these four years, notwithstanding the most absolute and unqualified contradiction as constantly given. The correctness of his statements is soon likely to be put to a satisfactory proof, for I have at length succeeded in serving the necessary law process on Mrs. Nowlan's partner in the lease. If the House please, I will state shortly the facts. Her rent amounted to 86*l.* 8*s.* 5½*d.* An arrear accrued of 310*l.* 4*s.* 3*d.*, any part of which she was unable to pay; neither could she properly cultivate the land. I sent for her, and represented this, stating the impossibility of allowing the land to continue in her possession, not benefiting her or me. I offered to forgive the arrears, and to make her a present of her cattle, stock, crop, and everything upon the land, and a sum of money, to enable her to look out for and take another farm. She returned home to consider, was badly advised, and behaved with the utmost violence afterwards. A person named James Corcoran was ejected from the lands of Bohermore; he abused his land, and allowed the buildings to fall to ruin; his rent was 58*l.* 0*s.* 2½*d.*, arrears due 104*l.* 16*s.* 1*d.* and this was the lowest arrear of any. Two persons named Terence and James Carty were ejected from the same place; they likewise seriously injured the land; and the house, an old mansion-house, was so completely destroyed, that it was found necessary to take it down; the rent was 50*l.* 3*s.* 3*d.*, the arrears 226*l.* 1*s.* 10*d.* One of these men, being a well-behaved person, is allowed still to reside on the land, though no part of the arrears were ever paid. James Carty was ejected from the same place under the following circumstances:—He became indebted to a money-lender in the neighbouring town. He had reason to suppose that this man was about to enforce his demand; he therefore gathered a band of friends in the neighbouring hills, who descended by night with their cars, and carried off the crops, the cattle, and everything that could be removed, and although he was hotly pursued by the money-lender and his faction he outmanœuvred him, made good his retreat, and retired to America. In my own defence, as landlord, I was obliged then to step in and serve ejectments. His father, an old man, he left behind. I have settled an annuity on him of 12*l.* for his life. His rent was 65*l.* 13*s.*; arrears 190*l.* 14*s.* 10*d.* The widow Harold, who, by the by, like many of the others, has been married for years, though she still retains, according to the custom of the country, the title of widow was, with her husband, John Brennan, ejected from Kildrinagh, owing at the rent of 74*l.* 5*s.* 6*d.*, an arrear of 369*l.* 13*s.*, her husband having previously sold the crops and run away with the money. A man named Murphy, holding seven acres, owing an arrear of nearly four years' rent, agreed to leave the land on receiving a sum of money, and being forgiven the arrears. I afterwards made him a present of his crops; for my own security ejectments were served. Long previous to my getting this land, his sister, a widow, had come from a neighbouring town, and taken possession of a shed or outhouse by force. They carried on the war for a considerable time, each threatening the life of the other, to the scandal of the whole neighbourhood. At last Murphy forced her out, and threw down the shed; and I get the credit of it, although these facts are notorious to the whole country. One of the orphans, a young fellow who had been ill, and to whom I in consequence paid a weekly pension, on his recovery was employed by me to take care of some land, and keep off the cattle of a neighbouring farmer, which were continually trespassing on it. That farmer very soon invited him to his house, and whilst my pasture was found very agreeable by the cattle, he made himself equally so to the farmer's daughter; so much so that she robbed her father and ran away with him. Such is the history of this widow and orphan. I have been accused of destroying the village of Nurney; there is but one village on my estate called Nurney, built by my father, entirely at his own expense, and I have expended some thousands on it. The houses were slated, and neat gardens attached to each. Originally, I believe, the village was filled with Protestants. A great many Roman Catholics have, however, since come in in their place. They are asked for no rent, nor ever have been, except in two or three instances, as a punishment for bad conduct. I do not suppose that the whole amounted to 5*l.* They have pulled down many of the houses, burned or carried away the woodwork, defaced the gardens, and torn up the fences. After repeated complaints of dishonesty and disorderly conduct, some few have been sent away; no freeholder amongst them. But of those who were sent away some had houses provided for them in other places, and others got pensions. Some got nothing, owing to their own misconduct. I do not find the names of Ballyloughan, Knockthomas, or Knockallard, in this list of mine. The first of these was recovered by ejectment in 1827, from a farmer named Kelly, he owing more than 4½ years' rent. It was let to one of the under-tenants residing on the farm, the brother of a priest, who afterwards rode about the county, at the head of a mob, canvassing against me. Twelve months ago this tenant owed me an arrear of two years rent, and this arrear has not decreased since. I could ruin the man if I pleased; but, notwithstanding my cruelty and bigotry, he remains in his farm still. Other people had cabins on the land, but received each a sum of money and went away. All this, however, happened nine years ago, before any political or religious dissentions had distracted the country. In Knockthomas I know but of one farm that has come into my hands for several years; the tenant was a Protestant, and could not sublet. A Roman Catholic, however, got possession of it, and refused to give it up at the expiration of the lease. By way of annoying me, he collected as many vagabonds and poor families as the house could hold, and put me to the expense and trouble of a law process before I could get possession of my property. I did not feel myself at all called upon to do anything for these people. In Knockallard, at the time of my leaving Ireland, but one tenant had quitted his farm. He received notice to do so, having repeatedly given me great cause for complaint; however, being an industrious man, and at the solicitation of one of his neighbours, I desired my agent to make him a present of 50*l.* Another man had received notice, and offered to go on receiving a sum of money, which I directed should be given. The townland of Schahanrane, where twenty-three families are stated to have received notice to quit, was leased to one tenant, who has been dead some years, at a very trifling rent. The last life in the lease, who was transported for forgery, before the rebellion of 1798, has also been dead several years. These under-tenants have, as I am informed, paid each so much per annum for the concealment of this fact, but, as might be expected, they have quarrelled, and the truth has come to light; as a matter of course and necessity, I have served notice to quit, and if they are all turned out, no man can say but they richly deserve it. As I before stated, there are neither names nor dates in this petition as regards the tenants stated to have been ejected; it is not easy, therefore, to say to what time reference is made. Although in the commencement these unchristian persecutions are stated to be occasioned by the contests since 1832, and the whole drift of the petition is to impress that on the mind of the House, and so to suggest the inference, that Mr. O'Connell was in a manner obliged to go some degrees further than the most corrupt of the old Whigs and Tories had dared to go, and for the mere sake of the purity of election to sell a county to the highest bidder, yet the convenient phrase of "within the last few years," inserted towards the conclusion, enables the petitioner in one case to go back to the year 1827, and in others, I believe, still further, whilst the little word "partly" skilfully slipped in, leaves a door open for escape. If it is demonstrated that these transactions, if true, could not by possibility be imputed to the motives stated, but must have taken place in the common course of the exercise of the landlord's just and undoubted rights, how long these rights are to be continued remains to be seen. On the whole, then, I have ejected eight tenants in five years, being in the proportion of one out of 227 alleged in each year—each of these tenants, on an average, owing me more than four years and a quarter's rent. Not one of those mentioned in the petition was an elector; but I have ejected one who was a freeholder, owing arrears to a greater amount than any I have yet mentioned. This happened two years ago; he has ever since resided in his house, paying no rent, with his mother, a widow, and three brothers, desolate orphans, of the tender age of between thirty and forty, strong, able fellows, as capable of doing mischief, and as willing to do it, as the loudest clamourer for the liberty of Ireland could desire; so much so indeed, that I shall be obliged to have them removed, and very possibly afford an opportunity for another petition. I am accused of destroying whole towns and villages. I have expended some thousands in building and repairing one, in endeavouring to make the people comfortable, and in educating their children at my own expense. In place of being the persecutor of widows and orphans, let any gentleman who may have any curiosity on the subject, inquire whether I do not support a very considerable number of both who have no sort of claim on me? No one can have a better opportunity than the hon. Member for Greenock; for, if I am not misinformed, some of his connections or friends live in the county of Carlow. Let him make a rigid investigation into my character, and report the result to the House. I am not aware of one cruel or tyrannical act ever having been committed against my tenants, by those who act for me, nor of one that can even be tortured into such a shape in the eyes of any unprejudiced person—not even by the learned Gentleman, with all the exclusive advantages he possesses. So far with respect to the tenants. They were all bound strictly in their leases not to sublet; the farms were all of a moderate size, some very small; notwithstanding, in some instances, they did allow strangers and others to settle on their lands. Now, the question arose, what was the landlord to do with these strangers who, contrary to law, contrary to his express desire, and, in direct opposition to his interests, took possession of his land? What would be done in such cases in England or Scotland? Would any one here allow a set of paupers to take possession of his estate?—would he not cause them to be removed immediately, or endeavour, at the least, to persuade them to go as they had come? What was done by me? The agent was directed, whenever the people could be induced to take money for what they had thus got into their hands, to purchase it, and in almost every case this was done. In some cases they were allowed to remain, in some, houses were procured elsewhere, in others pensions were given, which continue to be paid to this day. There may be some few cases in which nothing was given, but it must have been from notorious bad conduct, or where they were collected merely for the purpose of annoying me. If I were resolved on obliging Roman Catholics to leave my estate, merely because of their creed, I have, and have had for years, ample opportunity of doing so, of which, however, I have not yet availed myself. I have at this moment a considerable extent of land, exclusively and for years occupied by them without leases—some of them owing large arrears. I have other tracts occupied by none but Roman Catholics, owing hundreds, nay, thousands of pounds, which the tenants could by no means pay, and which I could infallibly recover by ejectment. If I had that antipathy to them which is laid to my charge, could I not, long since, have gratified it, without any one reasonably finding fault with me? Unless it be determined that a man is to have no control whatever over his property, and to this point things are fast verging in Ireland. But I rejoice to say, that some of my warmest supporters are Roman Catholics, and this could hardly be the case, if all that is stated were fact. One townland, containing about 1,300 English acres, came into my possession; three Protestants were the tenants; they did not reside on the land. I took it from them, and gave it altogether to Roman Catholics. This does not look very like religious persecution. How long landlords can continue to act as they have really acted, will depend on circumstances. We may be supposed to have our feelings and opinions as well as others, and, perhaps, we may be allowed occasionally to gratify them, though we may not consider it allowable to go to the same lengths as others take the liberty of going. Possibly we, like the landlords of England and Scotland, may be permitted to select our tenants. We are responsible to the laws of our country. If we violate them, let us be punished. If we do not, I here protest against being called to account even by this House, much less by the learned Member or the priests, who notoriously set all law at defiance, at the very time they are heaping every species of slander and abuse on us for merely acting as the law allows, and by no means even going so far. With respect to the real character of the gentry of Carlow, perhaps, the state of the country before agitation commenced there may afford no bad criterion, and a more prosperous, a more improving, happy, or contented population, could not be found in the empire. A tolerable proof of this was, that crime or disturbance was almost unknown, the best understanding subsisted between all ranks and classes, whilst the land, and all its produce, bore a higher price in the market, and the peasantry in general were better fed, housed, and clothed, than in almost any other part of the country. It was truly called the garden of Ireland. The landlords have been so exceedingly moderate in their rents, that they often made a mistake against themselves of from 1 to 200 per cent. in the value of their farms, as a late Committee must remember; and this piece of information was obtained, not from the landlords or their partizans, but from the oaths, repeated day after day, of a long string of respectably dressed witnesses brought forward by Mr. Vigors himself, under the superintendence of no less than three priests. The Carlow gentlemen, like others, may have their faults; but rapacity and cruelty have not been of the number. Our real crime is, that we will not bow down to the image which Daniel, the king, has set up; and, for this offence, we are to be cast into the burning fiery furnace of public indignation, which is to be heated one seven times hotter than usual, by the ruined towns and villages, fanned by the shrieks and cries of widows and orphans. But the attempt will fail—we shall pass unhurt through these fires; and if justice and truth be not a dead letter, our accuser will have the benefit of them himself. But if this be an offence, I must plead guilty to the charge. We are incorrigible offenders. But let us see for a moment, how the electors and landlords of Carlow, who presume to think for themselves, have been treated by those who now make this outcry against them—namely by the priests. No sooner did they perceive that the time was fully come that they had been so long watching for, than, like the soldiers of Cadmus, they started in an instant into view, fully armed and equipped; they placed themselves at the head of the lowest, the most thoughtless of their flocks, the very dregs of the people—

Mr. *Methuen:* I rise to order, Sir. So long as the hon. and gallant Officer confined himself to a vindication of his own character, I, of course, felt bound to listen to him with attention; but I wish to know whether the hon. and gallant Officer is not now going beyond the line which the indulgence of the House usually permits in cases of a personal nature?

The *Speaker* thought it was unnecessary to interfere with the hon. Member.

Mr. *Warburton* found upon the list of notices the following for Tuesday, the 1st of March—namely, "Petition on the subject of the late Carlow election, and to take that opportunity of making a statement to the House on the matter of the petition which was presented to the House on the 15th of February instant, and printed with the votes of that day, containing matters personally affecting himself." Now he (Mr. Warburton) apprehended when notice was given—

The *Speaker* was understood to say, that on seeing the notice on the votes for Tuesday next, he was surprised that the hon. and gallant Member should have risen to address the House on the subject of that notice to-day; but as the hon. and gallant Member had entered partially into his statement, it might be convenient for the House to allow him to proceed, so far as related to the matters affecting himself personally. But as there stood a notice of a motion respecting the proceedings in the county of Carlow for a future day, he trusted the hon. and gallant Officer would not be betrayed into remarks beyond what simply related to his own case, and that no other hon. Member would be induced to enter upon a premature discussion on the subject generally respecting the county of Carlow.

Colonel *Bruen:* I shall bow with pleasure to the general feeling of the House; but I did think that an opportunity would be afforded me, after such serious charges have been preferred against me, not only to defend myself, but to defend those who have been equally guilty with me. I was endeavouring to show that the conduct pursued by the landlords of Carlow was not without some provocation, and if the House pleases, I will state a few of those provocations.

Lord *JohnRussell:* I rise to order, Sir, and I do so for the purpose of clearly understanding what it is that the hon. and gallant Member is going to do. If I understand him rightly, it is this: that having made his statement respecting his own character personally (and which the House, of course, has listened to with that attention with which it is always ready to listen to statements of a similar nature) he is now going to state what has been the conduct of other landlords in the county of Carlow with respect to their tenants. I may be wrong in so understanding the hon. and gallant Member; but if that is his intention, of course the House will no longer think that the statement is merely the hon. Gentleman's own statement; and if the hon. Gentleman should (as of course he would) impugn the conduct of other persons, those other persons will in fairness have a right to be heard in their defence.

Colonel *Bruen:* I shall bow to the feeling of the House, and will not persevere in the statement which I was going to make. But I beg to call the attention of the House to this fact—that the other evening the House received a petition, in which many serious accusations were made against individuals, when it was wholly out of the power of the persons so affected to rebut those accusations. I do appeal to any hon. Member whether that was exactly fair, and whether those persons have not some reason to complain. But I must be allowed to finish, for I have not quite yet done with what relates to myself. This is the liberty we enjoy, and for an increase of which the learned Member is so anxious. The question is, not whether the elector in Ireland shall be allowed quietly to exercise his franchise, but whether the priest shall be openly allowed to drive him like a pig, where he pleases, and sell him to the highest bidder, which must be the case unless the landlord has the courage to step in. The power of these political priests will be increased to a frightful extent, if some measure now in contemplation be unfortunately permitted to pass into a law. And here I would not be understood as charging all the Roman Catholic clergy with the commission of these outrages. I believe there are many who sincerely regret the state of things, and would, if they dared, endeavour to check proceedings destructive alike to themselves and to the poor people; but so strong is the delusion, so resistless the torrent, that it carries them and the most respectable of their parishioners along against their will, and they are obliged to choose between their parishes and their consciences.

Mr. *Methuen* rose to order. He thought the hon. Member was not entitled to enter into these particulars.

The *Speaker* said, that as the hon. and gallant Member was personally concerned in the question, he ought to be allowed to exercise his own discretion as to the course he was to pursue.

Mr. *Warburton* was of opinion that the hon. and gallant Member ought to defer his observations till Tuesday, the 1st of March, for which day he had given notice of bringing this subject before the House.

The *Speaker* said that the hon. and gallant Member had given notice for to-day, but the notice had been erroneously printed in the votes.

Colonel *Bruen* said, that after the disinclination which had been expressed to his proceeding, he would abridge his observations as much as possible. But, continued the hon. and gallant Member, there is one case mentioned peculiarly atrocious, and the most remarkable in point of numbers—that of Ballytarsna. I am accused of driving from their houses here, in a wicked unchristian manner, nineteen families, containing 101 individuals, with the usual liberal proportion of widows, &c. Now what will any honest man say when he hears that I never turned off one single human being, man, woman, or child, from this land? that the power even to do so never was placed in my hands but once; and how did I use it? The House shall hear; and now that I have told you what I did not, I will take the liberty of stating what I did do. This town-land contains nearly 800 English acres. I receive 221*l.* 10*s.* 9*d.* yearly, not much exceeding one-fourth of the value. The lease is for ever; as long, therefore, as the head rent was paid, I had no authority or pretence for interfering. I do not know that I ever was on the land in my life. The owner of this estate, whom, to the best of my belief, I never saw, as he lived in another county, became exceedingly embarrassed, and was obliged to leave the country. Arrears to the amount, I believe, of 1,000*l.* were due, other creditors were pressing, and it became necessary for me to look to myself. Ejectments were, therefore, served; time ran on, no creditor found it his interest to redeem, and I had every prospect of getting possession of this estate, and of adding many hundreds per annum to my income, and that without any blame that by possibility could be imputed. And how did this desolator of towns and villages, this tyrant, bigot, persecutor, fiend (I use the exact terms of the learned Gentleman), with a countenance scarcely human, this tormentor of widows and orphans, this modern Phalaris, regaling himself with the shrieks of his victims, this Tory, this Orangeman, this Conservative, how did he behave? What did he do? The tenants on the land were, I believe, exclusively Roman Catholic. He ordered the ejectments to be withdrawn, and the debt to be received by such instalments as the distressed tenant could conveniently pay. I have made the following memorandum on this point;—"The inhabitants have been ever since my most implacable enemies." Now I beseech the House to mark the truly diabolical artifice by which a retreat is attempted to be secured here; for to this, I suppose, is to be applied the postscript:—"One of these townlands not being in the possession of Colonel B. at the time the tenantry were ejected." Why then was it mentioned? Would any man who had a spark of decency, not to mention honesty or good feeling, in his composition, have first deliberately charged another with committing a crime—have first coolly planted a dagger in his back, left it rankling in the wound, and then in a sort of appendix—a second or third edition—have insinuated or hinted, that possibly the accused was not quite so guilty, not having been exactly at that very time in a situation to commit the offence? But here again the character of the inventors and propagators of this atrocious falsehood breaks out—the cloven foot again appears. They well know every particle of the case, and that I have not, and never had, any authority over this land, some of the most mischievous and active of their own followers residing on it. I think, moreover, that there is an additional falsehood. Father Phelan states that Ballytarsna is in the same parish as the rest of the town-lands, whereas I believe it is in Mr. Tyrrell's; if, however, my supposition be incorrect, then it is in his own parish, and he must have known that every word he uttered was false—although his statements were made on a Sunday with his congregation around him, who must likewise have known the falsehood of the charge; but that is a matter of small consequence; an occasion was to be served—the end justifies the means. I have now done, and I trust I have convinced the House, even from the imperfect information I can now command, that most of the charges in the petition lately presented are gross and wilful misstatements, and that the others are so distorted, perverted, and exaggerated, that they scarcely bear any resemblance to the truth. Were my purpose attack or recrimination, I should find little difficulty in pointing out many of the learned Member's speeches and actions, which would throw all my exploits into the shade, and place in a very striking light the very different species of liberty that he takes himself, and is willing to allow to others. But I need not such a defence—my position is too strong. I heartily hope that the threatened royal Commission may be issued, to inquire into all the causes of the present unhappy state of Carlow. For years I have been anxiously endeavouring, at great expense and trouble, and at the sacrifice of all my domestic comforts, to bring these matters under the view of the Committees of this House. I have hitherto failed. I will, nevertheless, continue my endeavours, and I have the satisfaction of informing the learned Gentleman, that I have long since secured the assistance of the same friends who have heretofore discharged their duty so efficiently to their clients, and so honourably to themselves. I now hail the promise of the hon. Member for Greenock to move for that Commission on an early day—I entreat—I conjure—I dare him to obtain it. If impartial men be appointed, who will honestly do their duty, a state of things will be disclosed, of which no Gentleman can form a conception — but which, nevertheless, very nearly concerns themselves. I will undertake to prove every tittle of what I have stated, and much more. I now sit down, confidently submitting that I have redeemed my pledge, and shown that the assertions of the hon. and learned Member for Dublin with respect to me are as worthy of credit as those he is in the habit of making.

Mr. *Hope* confessed that the embarrassment which he always felt on addressing the House, was very much increased by the knowledge he had that they were anxious to proceed to business of a more general nature, but he begged to obtrude a few minutes on their time in order to vindicate the character of a noble relative of his own, who had been most unjustly attacked on several occasions, and more particularly in a petition lately presented to the House. When that petition was presented no opportunity had been afforded to his noble relative of giving any explanation whatever. He (Mr. Hope) immediately conveyed to his noble relative information of the charges which had been made against him; and he had come down on the succeeding evening, prepared, if the course of the debate had permitted, to make a brief answer to those charges. Subsequently the hon. Member for Greenock (Mr. Wallace) gave notice of a motion for inquiry, by Royal Commission, into the facts and circumstances set forth in Mr. Vigors's petition. On seeing this, his noble relative declared that all he wanted was a full inquiry, and he should be perfectly satisfied if that hon. Gentleman's motion were carried. What reason the hon. Gentleman might have had for deferring his motion it was not for him (Mr. Hope) to say. This was not the first time an attempt had been made to impeach the character of his noble relative, and to cast a certain stigma on him. Mr. Vigors, the late Member for Carlow, did endeavour to do so on a former occasion. The intimidation Committee was appointed in the course of the last Session. Now, if that hon. Gentleman had charges to make against his noble relative, or against anybody else, of religious bigotry and political persecution—

Mr. *Jervis* rose to order. The hon. and gallant Member opposite had been heard in consequence of the indulgence of the House being always extended to every hon. Member on whom imputations had been cast, and the earliest opportunity afforded to him to give an explanation of his conduct. But that was not the case of the hon. Gentleman who was now in possession of the House. He was addressing himself to a subject not relating to any Member of this House, and he (Mr. Jervis) put it to the House whether they would allow the hon. Member to proceed in making a statement which must, of necessity, lead to a lengthened debate?

Mr. *Williams Wynn* said that there was no doubt that upon the strict point of order the hon. and learned Member was correct. But the House must consider if they would receive petitions containing heavy charges upon individuals which they had no opportunity, personally, to answer, they being Members of the other House of the Legislature, whether, after givng a facility of reception to petitions much greater than used to be given in former times, and allowing them to have currency to the most remote parts of the empire, they were not in justice called upon to extend a like indulgence to those who were so charged, and relax their rules in favour of hearing the answers to the attacks that had been made.

Mr. *Hope* said he did not claim it as a matter of right to address the House, but asked to be permitted to do so as a matter of courtesy. He left off with stating that the time for bringing forward charges of political persecution and religious bigotry would have been when the intimidation Committee was sitting. Mr. Vigors did, in the course of last Session, get up a petition for the purpose of attempting to establish charges against his (Mr. Hope's) noble relative. He then received a communication from his noble relative, desiring him to go to Mr. Vigors, and inform him that a time was appointed when he might bring forward his petition, and make his charges. Let the House observe that the statements had been made, although the petition had not been presented. He then went to Mr. Vigors, and saw him in the House of Commons. He told him then, that if he would meet him in the House of Commons next day, at four o'clock, he would be ready to meet any of the statements he might have to make. Mr. Vigors did not come down to the House of Commons at four o'clock on the appointed day. Mr. Vigors did not write him a line, or speak one word to him on the subject; and from that hour to the present, he had heard no more of Mr. Vigors, or of his charges in this respect. Now a few words as to the statements contained in the petition. The first name on the list was Ballinkillen. His noble relative was accused of having ejected from the town-lands of Ballinkillen, the property of Viscount Beresford, where the system first commenced, thirty-nine families, amounting to 205 individuals, including fifty-six widows and orphans. Now the lands of Ballinkillen fell out of lease twelve years ago. He, therefore thought it was unnecessary, in the present state of the House, to trouble them with any observations on that part of the case. He would simply say, that of six farmers put into these lands, three were Catholics, and three Protestants, and that they remained tenants to this day. So much for the charge of religious and political persecution on the lands of Ballinkillen. The next place was Ballyknocken; and the charge against his noble relative was, that from the lands of Ballyknocken he had evicted seven families, amounting to thirty-three individuals, including thirteen widows and orphans. Now the only change made by his noble relative in this place was this;—a man who now kept a public-house in Ballyknocken had twelve acres of land taken from him and given to another farmer. The next case was that of Slyguff. Now when the lands of Slyguff fell out of lease, the first proceeding of his noble relative was to divide them into small farms. Every one of the tenants were restored to their farms, and were now in the occupation of them. There were a few exceptions to be sure; the non-resident tenants were not continued. What did his noble relative do with the smaller inhabitants? To each of them he made an offer of emigration, if they chose to accept it; and to those who did not. he gave a certain amount in money, to buy up their interest. He also built a great number of cottages, in which many of these people were placed. Those who did not emigrate, and were not placed in really comfortable cottages—the providing which, when the miserable nature of the hovels they had previously occupied was recollected, must be considered an act of charity—had sums of money given them to buy up their interest. The case of Clonegaeh was the same. The principle of dividing the farms was the same, the principle of retaining the tenants was the same, the principle of making pecuniary compensation to the cotters who went away was the same; and many of the tenants forcibly refused to give up possession. He thought he had completely answered these two charges. Then came the allegation at the end of the petition, namely, that in the town-land of Slyguff fifteen families, amounting to ninety-four individuals, including twenty-three widows and orphans, had received notice to quit. The House would do him the favour of observing the facts in this case; he thought they would rather astonish them. There were only two individuals in the town-land of Slyguff who were now going to quit. One of those was under notice to quit, and the other had given notice himself, and both these individuals were Protestants. He was informed by his noble relative, with reference to the charge of political persecution, that he was not aware of having turned any one single elector off his land; and with regard to religious persecution, he hoped the statements he had made were sufficient to disprove the allegations of the petition. One word more, and only one. The town and neighbourhood of Slyguff had been mentioned frequently. These charges against his noble relative were all made when the townland of Slyguff fell out of the occupation of the life owner. Mr. Vigors, the unimpeachable Mr. Vigors, and Mr. Blakeney, the then Members for Carlow, came to his noble relative and mentioned the allegations which were then circulated in the country against him with regard to his intention to turn off all these people. His noble relative told them what his intentions were, and what the principles were on which he meant to act. Mr. Vigors and Mr. Blakeney then expressed themselves perfectly satisfied, and asked his noble relative whether he would permit them to communicate to his tenants, then holding the land, his intentions towards them, as they were anxious for nothing more than his own statement of his intentions. What was his noble relative's answer? "No, Sir; I mean to act upon these principles; I will follow them up; but I do not choose any communication to be made to my tenants that does not come from myself, or my agents. Upon these principles his noble Friend had acted; upon these principles he was ready to defend his conduct; upon these principles he required investigation; upon these principles he was satisfied with the mode of investigation proposed to the hon. Member for Greenock; and he could only add, that relative to all the facts which now rested upon assertion, he was prepared to bring forward incontrovertible evidence.

Mr. *O'Connell:* Mr. Vigors had been mentioned. He would not detain the House one moment; but he wished to be enabled to state what he thought the House must be clearly agreed upon, that this matter ought not to be allowed to remain in its present state. If these charges had been falsely made, their falsehood ought to be exposed. Therefore, it was, that he intended to move, when he had an opportunity of presenting several petitions on the subject which had been intrusted to him, that the whole of the facts should be investigated by a Select Committee.

ORANGE LODGES.] Mr. *Hume* rose to bring before the House the Motion relative to Orange Lodges, of which he had given notice. It would be recollected that on the 4th of August last he had brought forward the question of Orange Lodges generally. The evidence taken before the Committee appointed to inquire into the subject of Orange Lodges, afforded to his mind so much evidence, and so many strong facts, that it had appeared to him absolutely necessary that the last Session of Parliament should not terminate without the House coming to some Resolution on the subject. It would be recollected, that in pursuance of a motion made by him, the evidence, so far as it was taken, was laid on the Table of the House. He then submitted to the House certain Resolutions, the object of which was to bring the nature and tendencies of Orange Lodges clearly before it, with the view of urging upon Parliament the decision of a question, the settlement of which appeared to him essentially necessary to the welfare and peace of the country. The noble Lord at the head of the Home Department, however, suggested to him that it would be better to limit the Resolutions to one branch of the subject—to Orange Lodges in the army, and to take the opinion of the House thereupon. Knowing that the system was making fearful inroads, and seeing that it was gradually tending to sap and undermine the discipline of the Army, he complied with the noble Lord's suggestion. He now begged to move that the Resolutions agreed to on the 11th of August, to which day the motion was adjourned, should be read. He should then submit a proposition, to which he considered it the duty of the House to lend its most attentive consideration, with the view of remedying what he could not but consider a serious evil existing at the present moment in this country. (The Resolutions of the 11th of August having been read, the hon. Member proceeded.) In consequence of the Address of that House, his Majesty issued orders to his Commander-in-Chief, to the effect that any military officer or soldier who attended any Orange Lodge, should be liable to be tried by a court-martial. Notwithstanding this command of his Majesty, his Royal Highness the Duke of Cumberland had, as it seemed to him, equally set at defiance the orders of the King and the Address of that House. It would be his object to show more immediately, before he sat down, the ends which his Royal Highness had in view in pursuing this course; and this he should endeavour to show from documents which had come into his possession. In consequence of Colonel Fairman having refused to furnish the Committee with the evidence they required, and having avoided the Speaker's warrant, and having thus evaded the production of the documents which were stated to be, and which he (Mr. Hume) really believed to have been, in his possession, of a very serious and important nature, papers had been put into his hands purporting to be documents connected with Orange Lodges, which would show the manner in which those Lodges had been conducted, and the mode in which their proceedings had been carried on, besides proving attempts to organize troops to carry into effect their objects, whatever they might be. It was his intention to bring the question of Orange Lodges fully and completely before the House: it would be for them to decide whether they would submit to have their Resolutions and the King's orders set at nought by a man at the head of the Army, who ought to have set a better example, and to have better remembered what was due to his station, his allegiance, and his name. The Duke of Gordon had, in the end, acted very properly. It appeared that he had no idea of, or at any rate had forgotten, the existence of the general orders of 1822 and 1829, which were entered in his regimental books, and which every serjeant in his corps had an opportunity of perusing if he pleased. They appeared, however, not to have attracted his attention until the issuing of the order of the 31st of August, when a Grand Lodge was held, at which the Duke of Cumberland presided. He had been informed, within the last twenty-four hours, that, in spite of all the orders of the Commander-in-Chief, the Duke of Cumberland had presided, no longer since than Thursday last, at an Orange Lodge in Portman-square. It was proved, too, that his Royal Highness, holding his Majesty's Commission, not content with disobeying the orders of the Commander-in-Chief, had received and answered an address from a Grand Orange Lodge at Longford. He held that answer —which had been published—in his hand, and in it he assured all Orangemen that they might depend upon him; that nothing should induce him to desert the cause of Orangeism; that nothing, in fact, should induce him to withdraw from that association, until his brother, the Sovereign of this country, had declared no soldier should attend without rendering himself amenable to a Court-martial. This was not the time to tell that House, or the country, that the Duke of Cumberland received no individual pay. He had received honour, he was a Field Marshal, he stood on the army list of England; and he hoped that House would not allow him to act in utter disregard of its expression of opinion, and the orders of his Majesty. He would come now to the proceedings which had taken place since he first brought the subject under the notice of the House, and to the present state of the question. At the time of his making the motion of the 11th of August, which the House was pleased to support, one folio volume of evidence had been laid on the Table. Hon. Gentlemen who had paid attention to the subject, would find that the second volume contained the third report of the Committee at large, and another had since been laid on the Table of the House. Every page of these volumes seemed to him to contain matter of the most serious importance, and well worthy the grave consideration of the House. After the 11th of August, in consequence of information he had received respecting the extent of Orangeism in England and Scotland, the accuracy of which was denied by the Duke of Cumberland, and also by the Commander-in-Chief, he was induced to submit to the House a Motion for inquiry. That inquiry was accorded; and its results had also been laid before the House in another portly volume. These three volumes were now lying on the Table of the House, and he begged their attention once for all to the fact, that nineteen-twentieths of the evidence contained in them was either produced by officers of the institution, or collected from existing documents. The portion of evidence taken from other individuals was extremely small, and looking to the nature of the great majority of it, there could be little of cavil, dispute, or denial. The hon. Member for Kilkenny had stated the other evening, that the impartiality of the evidence and the fairness of the Committee had been arraigned. On what ground, or on what principle, he was at a loss to understand: perhaps he should hear from hon. Gentlemen opposite. With regard to the Committee on Orange Lodges in England, he had heard no doubt of its impartiality or fairness expressed; and he begged the House particularly to observe, that the documents in the appendix were in the first instance prepared by the Secretary to the Grand Lodge, and submitted to the Grand Master, before they were finally decided on. By the Resolutions which had just been read, the House had affirmed the existence of upwards of 1,500 lodges in Ireland, and 350 in England—institutions of an exclusive nature, from which Catholics were carefully shut out, and which were enrolled for the avowed object of opposing their creed. An observation which fell from the right hon. and learned ments, not merely as an individual, but as a judge discharging his duty by expressing his opinion of these associations, whose only proceedings were the raking up of embittering recollections, and inflicting wounds upon the feelings of others; and he did emphatically state it as his opinion, that until they were put down, and their arms taken from them, it was in vain, in the north of Ireland, to expect peace." Such were Judge Fletcher's sentiments; and after twenty years more of the same facts, the same evils, and the same results, with a constant repetition of the same scenes in a greater or less degree, he (Mr. Hume) called upon the Government, and upon that House, to adopt some bold and definitive measure for remedying such a monstrous grievance, and putting down such odious bodies. He asked, was justice administered now in Ireland? The evidence proved that it was not—that the members of these bodies interfered and tampered with it in all its stages. There were instances of Magistrates having refused to take examinations against men charged with murder, or of postponing it so long as to deny justice to the relatives of the murdered man in a thousand cases. There were instances of men charged with murder upon oath, being permitted to escape, without one effort to detain them. The case of Hamilton, and many others of a similar description, were so well known, and so completely proved, that he should but fatigue the House by entering into one-twentieth part of them. When he saw the source of justice polluted—when he saw insult upon insult, and oppression upon oppression —when he saw Magistrates influenced by party feeling, regardless alike of justice and of decency—he was indeed astonished that Secretary after Secretary, and Lord-lieutenant after Lord-lieutenant, should have witnessed such scenes without an effort to abolish them. What were the proofs before the House which no man could controvert? Orangemen had been allowed to carry arms, where Catholics had not; and arms intended to be used to protect the public peace and maintain the authority of the Government and the supremacy of the law, had been proved, in a hundred instances, to have been used by Orangemen against the Catholics of Ireland. Talk of doing justice to Ireland! Was not the name of justice a mockery, and was it not a mockery to expect that the people of Ireland could continue to suffer under daily insults and aggressions like those detailed in the evidence? Let him refer the House to Captain Duff's report, dated 27th of April, 1832: "Sir, I have the honour to communicate, for the information of his Excellency the Lord-lieutenant, that between the hours of twelve and one o'clock this day, a large body of Orangemen, in number from four to five thousand, marched into this town in regular procession, carrying twenty-four stand of colours, their bands playing 'The Protestant Boys,' in front; and leading the procession, I observed the following gentlemen, decorated with orange and purple:—First-Lieutenant, Colonel William Verner —(the hon. Member opposite, he believed) —a Deputy-Lieutenant of this county, as also a Magistrate for it, and the county of Armagh." After mentioning Mr. Joseph Grier, also Magistrate, and a captain of yeomanry, Mr. Jackson Lloyd, a captain of yeomanry, and other gentlemen not holding any commission under his Majesty's Government, the witness continued —"As the procession was marching round the town in the order before mentioned, some insulting language was made use of towards them, by four or five Roman Catholics, on which a riot ensued; stones were throne by each party; the Roman Catholics retreated, and when, on their retreat, either two or three pistol-shots were fired on them by the Orangemen, one of which took effect, and broke the left arm, close to the elbow, of a man named Peter Sally, a Roman Catholic." In another part of his evidence he said, "I observed Colonel Verner leading, and in front of the procession, decorated with orange and purple, and I have the honour to enclose herewith, for the Lord-lieutenant's information the affidavits of one serjeant and two privates of the constabulary under my command, who not only observed Colonel Verner in the manner I reported, but saw him distinctly take off his hat, and cheer the procession he was leading." Further on he said, "Colonel Verner not only headed the procession through the streets of Dungannon, decorated with an orange scarf, but he was 'pledged' to do so, four or five days previous to the procession of the 27th of April taking place, stating at the same time that he was regardless of the consequences." This was only one of a number of similar instances. He would state another: "About the 8th of July (said Mr. Duff) I received information that the Orangemen would assemble near Dungannon, at Mr. Lowry's, of Rockdale, instead of Dungannon their usual place of meeting, and I wrote to Sir William Gosset, apprising him of the circumstance, and begging to know whether I was to proceed there, or send any force; and I received his orders to proceed there, and make a full report of what took place. I did proceed there, and this is my report, dated Dungannon, 13th of July, 1832:—'Sir, I have the honour to report, for the information of his Excellency the Lord Lieutenant, that the Orangemen of this district yesterday assembled in the demesne of Mr. Lowry, of Rockdale, Magistrate, in this county, and from thence marched in procession to Mr. Grier's, of Desnerith. From the ground the procession occupied, there could not have been less, at the lowest calculation, than from 8,000 to 9,000 Orangemen decorated with scarfs, emblems, &c. &c., having sixty stand of colours, and forty bands playing party tunes; and 230 of them arrived with muskets, independent of concealed arms. After remaining for some short time at Mr. Grier's, they marched off in the most peaceable manner, by divisions, to the respective Lodges, and up to this hour all has been perfectly tranquil in respect of outrage having reached me. The procession was headed by several gentlemen of respectability and property in this part of the country. The only persons I observed as holding commissions under the Government were the following: Hon. A. G. Stuart, Deputy-lieutenant, as also a Magistrate for this county, and captain of the Killyman corps of yeomanry, horse decorated with orange and purple, but none on his person; Mr. Grier, a Magistrate for this county, as also for Armagh—the only emblem on this gentleman was that of his office of Grand Master of the county, namely, a medal suspended from an orange riband round his neck; third, Mr. Lowry, jun., captain of the Cameroy corps of yeomanry, decorated with an orange and purple scarf; fourth, Mr. Lloyd, second captain of the Killyman corps of yeomanry. The persons above named are all I observed in the procession, though I have received positive information that the Earl of Castle Stuart headed a procession in his neighbourhood. His second son, the hon. Charles Stuart, was decorated, and marched in the procession from Mr. Lowry's to Mr. Grier's; several clergymen of the Established Church also attended." These were only a few of the very many instances of this description of conduct on the part of public functionaries in Ireland which he could submit to the House. Now, he wished to know how was it possible for the noble Lord opposite (Stanley), when the lists of the Magistrates of the different counties in Ireland were submitted to him for revision, to allow those to remain who had so far forgotten their duties when in office as to connect themselves with these institutions? During his administration of the affairs of Ireland names of individuals on the list of Magistrates, who were also connected with the Orange Institution, must have frequently come under his attention. How could he have reconciled it with his sense of duty to permit these individuals to remain on the list of Magistrates? He would put it to the rankest Orangeman in that House, or out of it either, whether it was not impossible that, under such a system as that to which he had referred, peace could possibly exist in Ireland? Culpable, however, as were the Orangemen, they were not one-tenth as much to blame as the Government of the period in which such things had occurred. The Administration of that time, he repeated, was in the highest degree culpable; nor could he imagine how Lord Grey's Government had been so far imposed upon. Let the House look, for example, to the effect of their appointment of Lord Caledon as Lieutenant of the county Tyrone. What was his first act, as if in requital of the kindness of Lord Grey's Government? Why, to call and preside over a meeting of Orangemen at Dungannon, to address his Majesty, thanking him for dismissing the Whig Government. For his part, he had only to observe that the Government deserved it, for having made the appointment at all. They thought probably that they would have been enabled to conciliate the Orangemen. Conciliate an Orangeman, indeed! No; they might as well have thought they would have been able to conciliate the most intractable creature in existence; and it was to him utterly incomprehensible how Lord Grey's Government could have played, as they did, into the hands of the Orange party in Ireland. But when the heads of the Orange party acted in that manner, what was to be expected from the subalterns? When the

Lieutenant of the county and its body of Magistracy were found thus banded together in the cause of faction, was it to be supposed that the mass of those who constituted Juries and the police and constabulary of the county would be better disposed towards the cause of good government and impartial justice. With respect to the Juries, he should merely remark that for thirty years not a Roman Catholic had been appointed on the Grand Jury of Fermanagh. How could it be expected that justice would be administered under such a system. The evidence of Lord Gosford was conclusive upon the subject of Orange Juries. In reply to a question put to him by the Committee, he said he had known one or two Juries which were not Orange. Some other witnesses, too, had deposed that they knew "of one or two cases in which the Juries (in the county of Fermanagh, as we understood the hon. Member) were not Orange." When such was the manner of administering justice, was it to be wondered at that the people of Ireland should hold the law in contempt and look for justice at their own hands. When he (Mr. Hume) had heard a noble Lord opposite (Lord Stanley) detail to the House a series of outrages which had taken place in Ireland, and to which he referred for a justification of the Coercion Bill, he was at a loss to account for the cause of their existence, of which he was, in matter of fact, exceedingly sceptical. But when he came to read, or rather to hear the evidence given before the Orange Institution Committee, he was no longer at a loss to account for the insubordination, the existence of which had been referred to by the noble Lord. He could easily imagine how men might be driven by such a state of things as was described to crime, either as a measure of self-defence or of wild revenge. Here were the very sources of justice polluted, even before the people's eyes; Lords-lieutenant, Magistrates, Juries, constables, and police, the entire legislative and executive of what was called Irish justice, bound together in the bonds of this peace-destroying association. Ay, and it was too much to be feared that the very Judges of the land were strongly biassed by the influence, at least, in favour of the objects of this association. He did not mean to say that such was positively the fact, but most certainly such an opinion generally existed amongst the people of Ireland, and was calculated to destroy all confidence in the administration of justice. Having so far trespassed on the House in tracing the effect of this institution, he declared his conviction that his Majesty's Government, if they acted consistently with their professed determination, to do equal justice to all parties in Ireland, should dismiss from all civil, as well as military offices, those who were connected with the Orange institution. It was deemed essential, in order to the maintenance of military discipline, to issue an order from the Horse Guards forbidding any soldiers to belong to the institution. Now he wanted to know why should not the same principle be applied to civil officers. If his Majesty's Government refused to do so, he (Mr. Hume) for one could not believe that they were discharging their duty to the people of Ireland or the empire at large. They would, in fact, stand condemned in his opinion. He was gratified, however, to be able to say that the principle for which he contended was at present being acted upon in Ireland. If there was anything for which Lord Mulgrave deserved more particular credit in his government of Ireland, it was for his determined exclusion of all Orangemen from civil employments. In this Lord Mulgrave was doing his duty to the Government who appointed him, and to the people over whom he ruled. He (Mr. Hume) trusted that Lord Mulgrave would persevere in this mode of administering the affairs of Ireland, and that during his government no Orangeman would find his way into a situation or appointment of any description in Ireland. If he (Mr. Hume) were right in his estimate of Lord Mulgrave's conduct, what must be the opinion of the House in reference to his predecessors? How infamous must have been their conduct who unblushingly made Orangeism the very passport to power? He should not detain the House by going through any portion of the immense mass of evidence which had been accumulated to show the state of the constabulary and police in Ireland. No one, he supposed, would be found hardy enough to deny that, instead of preserving the peace, their principal occupation was in directly violating it. He believed most sincerely that very much of the outrages existing in Ireland originated in the conduct of those bodies. He, therefore, trusted that his Majesty's Government would take means to turn out of the police and constabulary force in Ireland, every individual connected with the Orange Institution. There was then that large armed body the yeomanry, many of whom were frequently transferred from the dock to the ranks of their different corps. [*Oh!*] Hon. Members cried Oh! but how many a time had it been proved that Roman Catholics had been shot by members of the yeomanry, and yet no punishment had been inflicted for the crime? It was fully proved before the Committee that this body was in the constant habit of attending Orange processions, and in one case it was sworn that no less than one thousand had, with arms in their hands, attended one meeting. With these facts before his eyes, could any hon. Member in that House wonder why disturbances were in the constant habit of taking place in Ireland. To show the feeling that pervaded this society, he should only mention, that upon the recent dismissal of some Orangemen, by Lord Mulgrave, at Roscrea, the brotherhood had met in very considerable numbers, and sent several addresses to the dismissed Orangemen. In fact, this spirit of opposition to his Majesty's Government, and to the impartial administration of justice, seemed to pervade all classes into which Orangeism had insinuated itself; nor could he (Mr. Hume) imagine how the country was to get rid of the enormous burden of supporting such an army as was stationed in Ireland, unless the House concurred with him in the necessity of adopting some measure for suppressing the Orange Institution, and of thus removing the principal cause of the disturbances which existed in that country. Indeed, it was at present a complete garrison; and yet what was their force of 40,000 or 50,000 soldiers, in opposition to seven millions, united by the strong bond of one common oppression? If the people were misgoverned they would combine in opposition to the law, and before that combination the army would be powerless. On the other hand, if well governed they would unite in support of the law, and the army would be useless. If then it were only from the interested motive of reducing their expenditure by reducing the army in Ireland, he called upon the House to agree with him in declaring the necessity of putting an end to the Orange Institution. To show the effect of this institution on the peace of the country, and what was the result of the connection of certain individuals with it, he should refer to the evidence of Mr. Cosmo Innes, who was examined before the Committee on Orange Lodges. In that evidence he found the following questions and answers:—"As the result of your official examination—what is the state of feeling and of peace in those towns in which Orange Lodges have been established?" "Wherever Orange Lodges have been established and active, they have been the occasion of continual breaches of the peace, either by their processions, which have been opposed, or by the bad feeling they have produced amongst individuals." "Have you discovered any other Lodges of Ribbonmen or any other secret society existing in that part of the country?" "I cannot say that I have discovered them; I cannot speak to their constitution. They were secret—but I am aware of their existence." He (Mr. Hume) did not mean to deny their existence; but he contended they were produced by a re-action. Further in the evidence he found the following:—"Does that information lead you to conclude whether the Ribbonmen were associated for their own defence, or as assailants against Orangemen?" "All my authority is a sort of police information. I know nothing of this matter, except as it tends to disturb the public peace, and the breaches of the peace in Scotland on these matters have originated, certainly, in processions of Orange Lodges. I am not aware of any demonstration of Ribbonmen which has called for any opposition." "Does the private information which you have received lead you to believe that this riot and these proceedings on the part of the Catholics, has been a re-action against the associations of the Orangemen?" "Certainly." "So that the Orange organisation has produced, or if not produced, greatly augmented, the Ribbon organisation?" "I think it is highly probable, though I cannot speak with certainty of that fact, that there would be no Ribbon organisation in Scotland but for the Orange organisation." So that, not content with keeping Ireland in turmoil, the members of this institution were spreading the confusion of their association through Scotland. In other parts of his evidence Mr. Innes said, that "there were four Orange Lodges in Maybole,"—that "there was at present existing a considerable animosity, in all the towns and places where there are any

Orange Lodges, between the Catholics and Orangemen." One Lodge, it appeared, in Scotland was called the Gordon Lodge. He was asked by a Member of the Committee, "Are the Committee to understand that it is your opinion, after the inquiry you have made officially, that the existence of those Orange Lodges has tended, generally, to excite breaches of the peace, and re-action on the part of the Catholics?" To that question he replied, "To a very great degree." Again, he was asked, "Did you learn that any deputation had come from London to assist in the formation of those Lodges?" He replied, "In examining, with regard to processions, I found that the last procession, previous to this year, was in consequence of a visit from Colonel Fairman, who had travelled over the country as the emissary from the Orange Lodge of England, as I understood, and who was received, wherever he went, or in many places, by the Orangemen in procession." "Was any reference made by these people to the Duke of Cumberland?" "I have here a copy, a *fac simile*, of a warrant constituting a Lodge, signed by the Duke of Cumberland, and they all looked to the Duke of Cumberland as their head, and with the greatest respect." "They regard the Duke, in fact, as their political head?" "Yes; certainly." "Was any reference made by them to him in conversation?" "Yes; frequently." "What do they say of him?" "They only talk of him as the head of their society and as their Grand Master; they certainly seem to dwell upon his being the head as proving the legality and loyalty of their proceedings." It was very obvious that the Duke of Cumberland, while he was considered as Grand Master of the Orange Lodge, was proposed by the members of the institution to be considered as the successor to the Crown. In another part of his evidence Mr. Innes gave it as his opinion that the Orange and Ribbon institutions were most injurious to the peace of the country, and both ought unquestionably to be put an end to. The effect, he said, of Colonel Fairman's visit to Scotland was to increase very much the numbers of the institution, which was neither so widely extended, nor so active in its operations before he appeared there. If there were no other grounds for calling on the House promptly and effectively to interfere, sufficient ground, he thought, was exhibited in the extracts he had just read. The Duke of Cumberland, he thought, was a dangerous man, whose connection with such a society required to be carefully and closely watched. It had been mentioned by Mr. Innes, in the course of his evidence, that Colonel Fairman had made a tour of Scotland. And in connection with that evidence he held in his hand a most curious document—a copy of an itinerant warrant—authorising the admission of members upon taking certain oaths. He begged the particular attention of the House to the fact, that this warrant was issued by the Duke of Cumberland, in 1834, in accordance with the rules of 1826. Now if these rules, as it was said and sworn before the Committee, were cancelled, and no longer acted upon—why, he would ask, was this warrant issued in accordance with them. Yet, so it was—this special warrant to admit and initiate persons into the Orange Institution, concluded thus:—"Given under my hand and seal at St. James's, this 13th day of August, 1832. Ernest, Grand Master." That itinerant warrant commenced—"Whereas the Orange Association was founded in grateful remembrance of one of the most glorious achievements recorded on our historical annals, that is to say, our deliverance from Popery, and arbitrary power." Then, after a recital of considerable length, it proceeded—"Be it known, therefore, that from a knowledge of his experience, and a confidence in his integrity, our trusty, well-beloved, and right worshipful brother, Lieutenant-Colonel Fairman, master of the Metropolitan warrant, member of the Grand Committee, Deputy Grand Master of London, Acting Deputy Grand Treasurer, and Deputy Grand Secretary of the Institution, is hereby nominated, constituted delegated, and appointed to undertake the said visitation or tour of inspection, &c.;" and it further proceeds, "For these objects and general purposes, by virtue of the authority vested in me as Grand Master of the Empire, by the code of laws and ordinances of the 30th of March, 1826, &c." Still further was the influence of the institution extended by the "permission" granted by the Grand Master "under his hand and seal, given at St. James's" to form Lodges in the Ionian islands and Malta. The hon. Member then referred to the letter of the late Mr. Haywood, to show the object with which the "mission" of Colonel Fairman was undertaken. In corroboration of Mr. Haywood's statement, he begged to read the following letter from Colonel Fairman, addressed to "John Sydney Taylor, Esq. *Morning Herald* office"—

"Dear Sir—From those who may be supposed to have opportunities of knowing 'the secrets of the Castle,' the King is stated to be by no manner in so alarming a state as many folks would have it imagined. His Majesty is likewise said to dictate the bulletins of his own state of health. Some whisperings have also gone abroad, that in the event of a demise of the Crown, a Regency would probably be established, for reasons which occasioned the removal of the next in succession from the office of High Admiral. That a maritime government might not prove consonant to the views of a military chieftain of the most unbounded ambition, may admit of easy belief; and as the second heir presumptive is not alone a female but a minor, in addition to the argument which might be applied to the present, that, in the ordinary course of nature, it was not to be expected that his reign could be of long duration, in these disjointed times, it is by no means unlikely a vicarious form of Government may be attempted. The effort would be a bold one, but, after the measures we have seen, what new violations should surprise us? Besides, the popular plea of economy and expedience might be urged as the pretext, while aggrandisement and usurpation might be the latent sole motive. It would only be necessary to make out a plausible case, which, from the facts on record, there could be no difficulty in doing, to the satisfaction of a pliable and obsequious set of Ministers, as also to the success of such an experiment.—Most truly yours,

"Wednesday, April 6, 1830. "W. B. F.

"I have scribbled this at Peel's, and if you wish it, will write a paragraph on the subject. From all that I hear, there can be little doubt the King will soon resume his rides in the Great Park, now that the drawing-room is gone by.

"(Private.)"

The above letter was returned, as there is a post-mark dated seven at night, April 6, 1830, and addressed thus:—"To Colonel Fairman, British Coffee-house, Cockspur-street." Such language many Members of that House might suppose could only originate with a maniac, but he held the original of that letter in his hand. Could the House, doubt then, the object for which the mission of Colonel Fairman was undertaken. It should be borne in mind, too, that it was in the year 1829 that his Royal Highness the Duke of Cumberland first attended the Grand Lodge. He would read to the House some few letters to show the nature and the extent of the peculiar connexion existing between certain noblemen and the Orange Institution. The first letter he should read was dated the 27th of April, and was from Lord Kenyon to Colonel Fairman. It was as follows:—

"Portman-square, April 27.

"Dear Sir—I heartily wish I could hope to be of any use in applying at Chelsea in behalf of the writer of the inclosed. I think we had better communicate it to his Royal Highness, as he is the only person, except yourself, who can judiciously interfere in military matters connected with the Orange Institutions. I hope your attack is going off, and that we shall have a thoroughly amicable meeting next Friday. Brother Mair seems very frank and well-meaning. If you could get Mr. Knipe, who is a favorite, I think, with his Royal Highness, to attend, it would be well.

"Ever, my dear Sir, faithfully yours,

"Kenyon."

The next letter he should read was from the same noble Lord to the same gentleman:—

"Portman-square, June 13, 1833.

"My dear Sir—I am grieved that our valued brother Cumberland should suppose for one moment he could have given me the slightest offence. It may happen sometimes to me, as applied by Shakspeare to Brutus—

'Poor Brutus with himself at war,
Forgets to show his love to other men.'

But I never can forget to feel it for so zealous a friend to every cause most dear to me, as our brother Cumberland has always proved himself to be. The statement you made to me before, and respecting which I have now before me particulars from Portsmouth, are out of my sphere, and should be referred, *toties quoties*, to his Royal Highness, as military matters of great delicacy. At the same time, private intimations, I submit, should be made to the military correspondents, letting them know how highly we esteem them as brethren. I hope the circular will soon be out.

"Your faithful friend and brother,

"Kenyon."

"To Colonel Fairman."

Here were two letters, in the first of which it was said, "as his Royal Highness, except yourself, is the only person who can interfere in military matters connected with the institution"—and in the second, "private intimations, I submit, should be made to the military correspondents—letting them know"—he begged the attention of the House to this—"letting them know how highly we esteem them as brothers. And this was written by one who had declared before a Committee that he knew not, "until very lately, of the existence of Orange Lodges in the army." The next letter he should read referred to the connection of his Royal Highness with military districts:—

"Portman-square, July 10, 1833.

"My dear Sir.—I send you some anti-Roman Catholic books, which you may distribute among the following Peers—Manvers, Stradbroke, Liverpool, Harrowby, Northampton, Carnarvon, the Bishops of Llandaff, Lincoln (Warren's Hotel), &c. &c. I can say nothing as to Mr. Staveley's publication, but if done it should be forthwith, and I would take a few copies. You know much better how to manage our brethren than I do, and they must be kept together as well as they can be. If you hear anything further from the military districts, let his Royal Highness know all particulars fit to be communicated. The times I really trust are improving quietly and gradually. Let us act firmly and maintain all that is sacred, and provoke no one more than can be avoided.

"Believe me, my dear Sir, yours faithfully,
"Kenyon."

Next as to the appointment or election of the Grand Committee, he would read an extract from a letter to show that in this case the rule of the Grand Master was supreme:—

"Portman-square, May 30, 1833.

"My dear Sir—With respect to the composition of the Grand Committee the pleasure of his Royal Highness the Grand Master is the only rule by which its formation can properly be regulated. Its being so framed as to produce harmony in the institution will no doubt be the principle by which his Royal Highness will be guided, and I am confident that, feeling as he must do, the essential importance (especially with reference to your undertaking a new tour to consummate the zeal and harmony of which you have laid the foundation in North Britain and the northern and trading districts of England), that you and the Grand Committee should be in entire harmony and mutual confidence; that, therefore, neither brother South nor brother Morris should continue a member of it. The will of the Grand Master is conclusive, and no names ought to be submitted to his Royal Highness in Grand lodge but such as will be satisfactory to him. The suggestion at the meeting of the grand Lodge is not for the purpose of election otherwise than in accordance with the pleasure of the head of the institution, whose authority is justly declared to be supreme. You may communicate this to the Grand Committee, for we must not let our high and zealous friends who meet at the Grand Lodge be disgusted any more by discussions at those meetings. Should any such be apprehended, his Royal Highness should be informed, that he may, previous to the anniversary of June, interdict the attendance of any brethren who would so forget themselves.

"Believe me, my dear Sir,
"Your faithful brother and friend.
"Kenyon.

"To Colonel Fairman, &c. &c."

He should now read another letter from the same nobleman to the same party, upon which he should not trouble the House with any commentary:—

"Eastwell Park, August 13th, 1833.

"My Dear Sir—Be so good as to send the Earl of Winchilsea, in a day or two (but not overweight, as yours of this morning is to me) the circular of June 4th, and any other circular which will contain good names and matter in it. You can say, you did it by my desire, and in hopes that he, as one of the staunchest of Protestants, would join us. I am glad to hear that several persons of judgment think we might have a Government with which the House of Commons would act. If so, it is a sad pity the Hero of Waterloo and others would not act as to have obtained such a Ministry during the existing Session. When Parliament is prorogued, it is well known nothing can be done, unless some death of importance occurs. I hope to be in town on Thursday morning, for two nights.

"Ever your faithful friend and brother,
"Kenyon."

[*The reading of this letter was followed by laughter and cries of "Earl Spencer."*]

This letter let him into a secret. No doubt it alluded to the anticipated death of that venerable Peer, Earl Spencer, and this language was written by a party in intimate connection with the Duke of Cumberland.

An *Hon. Member*: The death of Lord Spencer occurred the following year.

Mr. *Hume* observed that the expression in the letter was, "that as Parliament was prorogued, nothing can be done unless a death of importance occurs." This, at any rate alluded to some important death, which might be expected, and in his opinion, it was the death of Earl Spencer, which was anticipated. There were two or three letters published in the evidence on the table, which he considered of considerable importance. Two of these were directed to the Marquess of Londonderry, and were copies of letters purporting to be sent to that nobleman. These copies were found in a book, which was laid before the Committee. Some doubt, however, might arise as to whether they had been received or written to his Lordship, although they were entered on the book. There certainly appeared in the Report to be no answers to them; but he could only say, that he had the answer of the noble Lord to those letters in his possession. The answer was dated Wynyard Park, and was directed to Lieutenant-Colonel Fairman. It commenced,

"SIR—I was honoured with your two communications of the 29th and 30th."

The object of the letters of Colonel Fairman was evidently to prepare the way to resort to physical force. The first of them wss dated the 29th July, 1832. After apologising for troubling the noble Marquess with writing to him on the subject of the affairs of the Orange Institution, and urging the importance of extending it in the north of England, he proceeds:

"With Mr. Wright of Sunderland, who was recently in London, I had some conversation on the great advantages that might result from an extension of such a society at this conjuncture. Conceiving its principles to be strictly in unison with those entertained by your Lordship, in the course of our communications your name was introduced, when that Gentleman said if the matter were taken up with spirit by you, the whole district would follow the example, and cheerfully join such an association. To urge, it might be political for your Lordship to do so, in a personal sense, would be to offer you a very ill compliment; but to contemplate it, as shall presently be made to appear, in a patriotic view, the security of that part of the kingdom might be consolidated by such means. The pitmen would perhaps feel inclined to establish lodges among themselves, which might operate as an additional stimulus to their loyalty, and would likewise prove a partial check against their entering into cabals hereafter, no less to the preservation of private property than to that of the public peace. Knowing that your Lordship has firmness to espouse the cause you approve, on this occasion I address you with the less reserve. When the altar and the throne are alike assailed—when infidelity and treason are boldly avowed—when a Republic and a Lord Protector are confidently spoken of—when, indeed, we have a Popish Cabinet, and a democratical Ministry, who, having given birth to a monster they can no longer control, are now alarmed at their own popularity, and are the abject slaves of a ferocious, sanguinary, and subversive Press, little short of a miracle can work the salvation of our once happy country! It behoves us, nevertheless, to exercise our energies, and, by measures at once prompt and vigorous, to stem the torrent that threatens to overwhelm us. By a rapid augmentation of our physical force, we might be able to assume a boldness of attitude which should command the respect of our Jacobinical rulers. What the Catholics and the Unionists have achieved by agitation and clamour in a factious cause, we might then be enabled to effect in a righteous one. If we prove not too strong for such a Government as the present is, such a Government will soon prove too strong for us; some arbitrary step would be taken in this case for the suspension of our meetings. Hence the necessity of our laying aside that non-resistance, that passive obedience, which has hitherto been religiously enforced to our own discomfiture. The brave Orangemen of Ireland rescued their country from rebellion, and their gallant brethren in England would as heroically redeem their own from such perils. On the one hand we have had minor difficulties to contend with, and less danger to surmount, though on the other hand we have not had the same encouragement, and an equal share of support from the higher orders. We have Lodges at Newcastle, Shields, Darlington, and round about, but they are merely trunks without heads. Unless men of staunch influence and consideration would immediately step forward as County Grand Masters (I speak advisedly), it is of no manner of use for the classes in humble life to assemble for such purposes. The field is now open to your Lordship—the post of honour is exclusively your own. If, then, your Lordship would but profit of it, you would deserve well of this country, while at such a crisis you would confer fresh confidence on your own. In a long conversation I had yesterday with Lord Longford, he intimated that the brethren of Ireland were determined to resist all attempts the Liberals might make to put them down; at the same time reproaching us for our tameness in not affording an aid commensurate with the evils by which we were menaced. In proportion to an increase in the numbers of our institution, the defeat of the seditious Whigs will be rendered more certain. Should your Lordship feel disposed to entertain views similar to my own, the Deputy Grand Master of England is now in your neighbourhood to give them efficiency."

Two or three days afterwards he more boldly avowed himself in a letter he wrote:—

"Cannon-row, Westminster, 30th July, 1832.

"MY LORD MARQUESS,—In my letter of Saturday, I omitted to mention that we have the military with us as far as they are at liberty to avow their principles and sentiments; but since the lamented death of the Duke of York, every impediment has been thrown in the way of their holding a Lodge. The same observation that was applied to the colliers might be attached to the soldiery. As Orangemen, there would be an additional security for their allegiance, and unalterable fidelity in times like the present, when revolutionary writers are striving to stir them up to open sedition and mutiny. In trespassing thus upon the attention of your Lordship, I am not so presumptuous as to suppose that any thing urged by me could influence your conduct; but, understanding the Duke of Cumberland has communicated with your Lordship on this subject, I felt it my duty to put you in possession of certain facts with which you might not be acquainted.

"I have the honour to be, my Lord Marquess, your Lordship's very respectful and obedient servant,

"W. B. Fairman."

"To the Marquess of Londonderry."

He would now, in justice to Lord Londonderry, read the answer which he made to these communications, as they showed that he was not prepared to aid Fairman. The answer was dated:—

"Wynyard-park, August 8, 1832.

"Sir,—I am honoured with your two communications of the 29th and 30th ult.

"You do me only justice in believing that I would most willingly embrace every opportunity, and do all in my power to espouse the cause and establish the institutions you allude to in this part of the kingdom; but the present state of liberal Whig feeling in this very Whig county, and the very refractory and insubordinate state of the pitmen, entirely preclude the possibility of successful efforts at this juncture. I have had a full conversation and communication with Lord Kenyon on all this matter, who has been in my house these last two days, and I have no doubt he will convince his Royal Highness, as well as yourself, that the present moment is not the time when the object can be forwarded.

"I will lose no opportunity of embracing any opening that may arise; and

"I have the honour to be, Sir, your very obedient servant,

(Signed) "Vane Londonderry."

(Directed)

"Col. Fairman, Cannon-row, Westminster,

(Post mark, Stockton.) "London."

He thought that it was but justice to say that he was not in possession of this letter until a few hours ago, and he felt bound to add, that whatever might be the views or intentions of the individual to whom he alluded, that the noble Lord was not a party to them.

Lord *Castlereagh* rose to order. He wished to know if the last expression of the hon. Member was applied to Lord Londonderry or to Colonel Fairman.

Mr. *Hume* said, that the last expression in the letter was, "I shall not lose any opportunity of embracing any opening that may arise."

Lord *Castlereagh* was quite sure that the hon. Member would, on reflection, feel that the question ought to be pressed. He wished to know whether the hon. Member alluded to his (Lord Castlereagh's) father as the individual having certain intentions.

Mr. *Hume* replied, certainly not. He alluded to Colonel Fairman, and not to the noble Lord in question. He repeated, he did not know what might be the projects of that individual. He would proceed, step by step, with other documents. The next letter he had was dated the 28th of November, 1832, and was from Lord Kenyon to Colonel Fairman, it was directed from Peel Hall:—

"Peel Hall, 28th Dec.

"My dear Colonel and Brother,—I am here again with my venerable aunt, eighty-nine years of age, on a Christmas visit, but return to Gredington next Thursday. Anxiously do I wish the Cock of the North may think it right to come to Glasgow. The warm feeling of Lord J. Campbell, who was a little my junior at Christ Church, Oxford, is very gratifying, and promises, please God we may be blessed with better times, much good in the north hereafter. His old relation, John Campbell, Accountant-General, was always proud of him as a Campbell, and I heartily wish he may live and in due time long enjoy the family honours. I will send our Grand Treasurer your circular. His Royal Highness promises being in England a fortnight before Parliament re-assembles, and I hope will come well. To him, privately, you had better address yourself about your military proposition, which to me appears very judicious. I wish such as his Royal Highness would, without neglecting the prime consideration, viz., the fitness of any thing proposed, attend, in addition to that, to what is popular. Our enemies attend to that alone, which is base; we seem to disregard it too much, which is foolish.

"Ever yours, faithfully,

"Kenyon."

Here again there was allusion to a military proposition connected with the Orange institution, in a letter of Lord Kenyon's. That noble Lord in another letter said, "It is a great pity, too, that the amiable Duke of Buccleuch does not see the immense importance of his sanctioning such a cause as the Orange cause, identified as it is with high Conservative principles." This letter was addressed from Ellesmere, and of the date of October 20, 1833, and was directed to Lieutenant-Colonel Fairman, Gordon Castle. The next noble Lord to whose conduct, with reference to these societies, he had to call the attention of the House, was Lord Wynford. That Nobleman, as was well known to the House, was an ex-Chief Justice, and had, since his retirement, been made an Orangeman, and he held in his hand a letter written concerning that noble Lord, the contents of which he could hardly bring himself to believe till he saw them. It was from Lord Kenyon to Colonel Fairman. It was dated Portman-square, June 1st. It was as follows:—"Lord Wynford has fixed Monday, at half-past twelve, at the House of Lords to be initiated an Orangeman. He has a private room of his own there as Deputy Speaker." He did not think that they had an Orange Lodge within their walls. Bad as Orangeism was, he thought, that at any rate, it would keep at a distance, instead of exhibiting such reckless boldness as to form one of the Houses of the Legislature into a place to hold Orange Lodges. He quoted this, however, in order to elucidate what followed, and the feelings and language that were held by the noble Lord with reference to the Duke of Cumberland, who, be it recollected, alone had the management of the military affairs of the Institution. The letter was dated Chiselhurst, and was directed to Colonel Fairman at Birmingham. It began:—"My dear Sir, —I am much obliged to you;" and, after some unimportant observations, proceeded in the following terms:—"He (the Duke of Cumberland) is one of the best and most ill-used men I know; but the Whigs will never forgive his using the influence which his excellent understanding, and his steady adherence to his principles, gave him with his brother to unseat them when last in office. The Tories have not been sufficiently grateful to him. The country, as it becomes better acquainted with Whig misrule, will learn to appreciate his merits. As you are so obliging in your last letter as to ask my advice as to whether you should pursue the course that you have so ably begun, I can only say that you must exercise your discretion as to the company in which you make such appeals as that which I have seen reported. When you meet only sure Tories, you may well make them feel what they owe to one who is the constant, unflinching, champion of the party, and who, by his steady course, has brought on himself all the obloquy that a base malignant faction can invent." The next letter to which he should direct the attention of the House was from Doncaster, and was dated the 12th of Feb., 1833, and was from Colonel Fairman to Lord Kenyon. He would trouble the House with the following extract from it: —"Lord Wynford, the soundness of whose judgment few persons would be so hardy as to call in question, was kind enough to write me word he had read with much pleasure the report of my proceedings in Birmingham. I believe I mentioned that I had consulted his Lordship on the propriety of my continuing to introduce the Duke's name in the prominent shape I had previously done, and with the policy of which he seemed to agree. There is one strong point which induces me to cherish a hope that I have worked a change in the sentiments of the press, which is, that the foulest part of it, I fancy, has not attacked me, nor attempted to gainsay my comments in refutation of the calumnies so lavishly put forth against our illustrious Grand Master. If he would but make a tour into these parts, for which I have prepared the way, he would be idolised." Hon. Gentlemen would perceive in those letters some allusions as to what Colonel Fairman was charged by Haywood with having done at Sheffield, namely—proposing plans as to what he and other Orangemen ought to do in certain cases. Haywood had challenged contradiction as to what he alleged respecting the doings of Fairman in this town. Did not this letter of Lord Wynford in some degree support those charges; for in it he told Fairman that he might speak more openly when he met only sure Tories. Certainly all that was alluded to in the letter was the propriety of making a more prominent use of the name of the Duke of Cumberland. He did not suppose that Fairman would, without great caution, propose to Lord Londonderry, Lord Wynford, and Lord Kenyon, what he would propose to persons in an inferior station; and they had evidence that this person, acting under the itinerant warrant of the Duke of Cumberland, did use language of the most dangerous character. There was another communication from Fairman to Sir James Cockburn, dated the 14th of July, 1831. It commenced, "By a late return it appears our strength in this country exceeds 135,000, and it is fast augmenting as regards numbers; we are infinitely less on this side the water in this respect. We are by no means so assiduous as we might be in attending to the increase of the numbers of the society, and enlarging its influence. My fine fellows who compose the lodges in the capital, none of whom are Reformers, are stanch to the backbone; and should it be necessary for the lives and properties of those great men who risk both to prevent revolutionary changes, I could muster them at my summons." This, he thought, was quite sufficient to satisfy the House;

but there were a number of other documents of similar importance, to which he also felt bound shortly to direct the attention of the House. The first paper was the draft of a letter, as he believed, to the Duke of Cumberland. There was no address to it, but from the tenor of it there could be no doubt, he (Mr. Hume) thought, as to its being addressed to the Duke of Cumberland. It was as follows:—

"Should an indisposition which has agitated the whole country for a fortnight, take a favourable turn—should the Almighty, in his mercy, give ear unto the supplications to his heavenly throne, that are offered up daily to prolong the existence of one deservedly dear to the kingdom at large—the divulgement I have expressed a willingness to furnish, would be deprived of no small portion of its value. Even in this case, an event, for the consummation of which in common with all good subjects I obtest the duty, it might be as well your Royal Highness should be put in possession of the rash design in embryo, the better to devise means for its frustration. At any rate, you could not then be taken by surprise, as the nation was last year, but might have an opportunity of rallying your forces, and of organising your plans for the defeat of such machinations as might be hostile to yonr paramount claims. Hence, should the experiment be made, and its expedience be established, your Royal Highness would be in a situation to contend for the exercise in your own person of that office at which the wild ambition of another may prompt him to aspire." He confessed that he did not exactly understand it, but possibly the public might. At any rate it was in Fairman's handwriting. Here, then, they had his Royal Highness at the head of the Orange Lodges, having in his confidence an individual who was sending inflammatory documents throughout the country, and spreading most dangerous doctrines in all directions, and endeavouring to keep up a constant agitation against the Government. They found, also, that the exposure of the proceedings of this person did not prevent his Royal Highness from continuing him in his confidence. He therefore thought that he was justified in assuming that there was something more in the transaction than he saw. All the papers and documents that had hitherto been produced had been written tc or by this person in his official capacity as Secretary to the Orange Institution, and he had positively refused to furnish the House with other papers and communications respecting this subject, which he admitted were in his possession. The House was placed in a very strange situation; but he trusted that they would act with firmness, and put a stop to a state of things that had been fraught with so much mischief. He need hardly read any more extracts from the returns of evidence, because he was sure that all the Members had seen it. He would, however, refer for a moment to the evidence of Mr. Crawford, with respect to the feelings with which the lower class of Orangemen regarded the Duke of Cumberland. That Gentleman stated, that some rioters who were arrested avowed that they were Orangemen, and that they acted under the warrant of the Duke of Cumberland, which was higher than that of the Duke of Northumberland. The evidence of Mr. Crawford also clearly showed the danger which was likely to arise from allowing such men to remain longer in the army. It was found almost impossible to undeceive the lower class of Orangemen, who, when they heard that the King's brother was at the head of their society, and that he was a Field-marshal, believed that they could break the law with impunity. The time was arrived when the House should come to a firm and determined opinion one way or the other. If any man in that House was of opinion that Orange Lodges were beneficial and should be continued, he would, of course, vote against his motion; but all who believed that they had proved dangerous to the peace of society wherever they existed—that they had proved so in Ireland, and also in those places where they had been established in Scotland—would vote with him. Lives had been lost in all parts of the country where they had been established, and in places where peace had previously constantly prevailed. The conduct of the Orangemen had led to the commission of murder at Airdrie, which, before an Orange Lodge was established there, was one of the most quiet places in Scotland, and for this crime he believed one man had suffered the punishment of death and another had been banished for life. It was the countenance given to these societies by the Duke of Cumberland, and the use that was constantly made of his name, that rendered their existence so dangerous. On these grounds he put it to the House whether it would not agree to the resolutions which he held in his hand. Before, however, proposing his resolutions, he would refer to a few more documents. He held in his hand a copy of a letter from Lord Cole to Colonel Fairman, dated ———, 1833, Florence-court. It begins—"Dear Colonel—Some of the signs and passports have been changed." He read this to show the footing Colonel Fairman was on with the heads of the party. Again, there was a letter to Lord Langford. He would, however, read some observations of Captain Fairman on the state of the public press; they were addressed to Lord Kenyon, and were as follow:

> "My Lord—In forwarding to your Lordship the inclosure of yesterday, which for itself speaks so distinctly as to leave me but little to add on the same subject, I am persuaded you will not consider me to have been importunate or obtrusive. Should those with whom your Lordship is in the habit of acting, see the necessity, at a crisis of danger like the present, for such an engine, the sooner it shall be set in motion the better. The daily Press has long been monopolised by, and is now in the sole occupation of the enemy. Hence the multitude who seldom take much trouble to reflect, who possess not the faculty of judging for themselves, are led astray by the sophistries so sedulously put forth for their misguidance. That filthy concern, *The Times*."

It was necessary to inform hon. Gentleman, that he (Mr. Hume) held in his hand three or four propositions to establish newspapers, which were to advocate the principles of the Orange Society, and be in the interest of the Lodge. The hon. Member proceeded to read—

> "That filthy concern, *The Times*, which spares neither age nor sex, public bodies nor private individuals, which, at a less degenerate era, would have been burnt by the common hangman—ought to be forthwith checked in its flagitious course of unparalleled infamy. Such a sacrilegious print is well worthy of its new friends, who are as inexorable in their resentments and political animosities, as the vehicle of their rancour has ever been vindictive and diabolically mischievous in all its aims."

[*Loud Laughter.*] There appears to have been some peculiarly strong link which bound the active author of these epistles to his illustrious Friend. The hon. Member concluded with observing, that though some of the latter part of his statements had excited laughter, the subject was one of the most grave importance. There was clear proof of the existence of a Society composed of (as was allowed by themselves) 300,000 men, united together, and so organised as to be in a situation to be called forth in a body on whatever occasion, whether for good or evil, when required to do so by their illustrious Grand Master. How wild and visionary the ideas of this Society were, was evidenced in the speculations put forth by Fairman, of how, in the event of the demise of the Crown, the heir apparent, the Princess Victoria, should be set aside, and in favour of whom? The whole system ought at once to be put an end to; and he trusted his Majesty's Ministers would do that. The hon. Member concluded by moving the following Resolutions:—

1st. That this House, taking into consideration the evidence given before the Select Committee appointed to inquire into the nature, extent, character, and tendency of Orange Lodges, Associations, or Societies in Ireland; and of Orange Institutions in Great Britain and the Colonies; and seeing that the existence of Orange Societies is highly detrimental to the peace of the community, by exciting discord amongst the several classes of his Majesty's subjects; and seeing that it is highly injurious to the due administration of justice, that any Judge, Sheriff, Magistrate, Juryman, or any other person employed in maintaining the peace of the country, should be bound by any secret obligation to, or be in any combination with, any Association unknown to the Laws, and founded upon principles of religious exclusion, that even if justice were impartially administered under such circumstances, which is in itself impossible, yet any connection with such Societies would create suspicions and jealousies detrimental to the peace and good Government of this country.

2nd. That Orange Societies, and all other political Societies which have secret forms of initiation, and secret signs, and are bound together by any religious ceremony, are especially deserving of the severest reprobation of the House, and should no longer be permitted to continue.

3rd. That a humble Address be presented to his Majesty, that his Majesty will be graciously pleased to direct measures to be taken to remove from the public service, at home and abroad, every Judge, Privy Councillor, Lord-Lieutenant, Deputy Lord-Lieutenant, Custos Rotulorum, Magistrate, Militia Officer, Inspector, Chief Constable of the Constabulary and Peace Preservation Force, every Officer of Police in Ireland, and every functionary employed in the administration of justice, and in maintaining the peace of the country, who shall attend the meeting of any Orange Lodge, of any Ribbon Lodge, or of any other political Club, Institution, or Association, whenever, or wherever assembled, having secret forms of initiation, and being bound together by any religious ceremony, and with secret signs and passwords for recognition of Members of such bodies, and who shall not withdraw from such Societies or Associations on or before the expiration of one month after the publication of any Proclamation which his Majesty may be pleased to direct to be issued hereupon, forbidding their continuing to be Members of such Orange Lodges, Societies, and Associations.

Sir *William Molesworth:* I rise to second the Motion of my hon. Friend. I would call the attention of the House to the concluding paragraphs of the Report of the Committee on the Orange Institutions in Great Britain. After having cited a portion of the Statutes of the 39th George 3rd, c. 79, the Report says—"It will be for the House to consider whether the present organization of Orange Lodges, in connexion with the Imperial Grand Lodge, comes within the words of the Statute, and, if so, whether the Law Officers of the Crown should not be directed to institute legal proceedings, without delay, against the Grand Officers of all Orange Lodges." I know that the Orangemen consider this institution not to be an illegal one, because, in 1822, they obtained a favourable opinion from Sergeant Lens, Sir William Horne, Mr. Baron Gurney, and Mr. Adolphus. Undoubtedly, according to the case submitted to those learned Gentlemen, the Orange Institution was not an illegal Society in 1822. A Society, however, may, according to its printed rules, be strictly legal, yet, in practice, depart from those rules, and be an illegal Society, and this I believe to have been the case of the Orange Institution in 1822; this, however, is of little consequence. The House must bear in mind this fact, that in 1832 the rules of the Society were materially altered from those which were submitted to Sergeant Lens, and were assimilated to those of the Orange Societies in Ireland. Now it is in consequence of those alterations, it is in consequence of the existing rules, that I contend that this Society is an illegal one. Though the printed rules of a Society are the worst possible evidence of its legality, yet, as admissions, they are the best evidence of its illegality. I am convinced that if hon. Gentlemen will examine the rules of the Orange Institution, and will likewise look at the words of the Statute, they will not hesitate in affirming, that this Society is, to all intents, an illegal combination and confederacy. There are Statutes against illegal Societies. The 37th George 3rd, c. 123; 39th George 3rd, c. 79; and the 57th George 3rd, c. 19. Now, Sir, in my opinion, the Orange Institution is an illegal Society, in various manners under these Statutes. I consider that it would be easy to prove, that the Orangemen in reality assent to a test or declaration not required or authorised by law, and if this be the case, the Society would be illegal under the 57th George 3rd, c. 19. I consider that, to all intents and purposes, the religious ceremony, called the ritual, is an oath not required or authorised by law, and if this be the case, the Society would again be illegal under the 57th George 3rd, c. 19. I consider that the Orangemen are bound, in consequence of being Orangemen, to obey the commands of their Grand Master, who is a leader or Commander, not having authority by law for such purpose, and if this be the case, the Society is illegal under the 37th George 3rd, c. 123. I do not intend to insist upon these positions, because I should be unwilling to appear to strain the meaning of a criminal Statute. I shall content myself with referring to that portion of the 39th George 3rd, c. 79, which the Committee has cited, and under which the illegality of this Society seems, to me, most manifest; the 39th George 3rd, c. 79, enacts that, "every Society which shall be composed of different divisions or branches, or of different parts acting in any manner separately or distinct from each other, or of which any part shall have any separate or distinct President, Secretary, Treasurer, Delegate, or other Officer elected or appointed by or for such part, or to act as Officer for such part," shall be deemed an unlawful confederation. 1. The Orange Institution is "composed of different divisions or branches." This fact is acknowledged in the Address of the Orangemen to the Carlton Club; after enumerating the advantages which the Conservatives would derive from becoming Orangemen, they say, in order "that the constituency may be able to know the patriot from the demagogue—the honest man from the pretender—where can they so well apply for information and advice as to the Grand Lodge of the Institution, which being in active correspondence with all its branches, possesses the facility of knowing the principles of every man in the country. In order to prove my position more distinctly, I shall now prove that each Orange Lodge (or as it is sometimes called, warrant), is a separate and distinct branch of the Orange Institution, separate and distinct from every other Lodge. In proof of this position I would refer to the appendix, page 141. There the House will find a list of 265 warrants or Lodges distinguished from each other by different numbers stated to assemble at different places and at different times. In the evidence, I find that at Glasgow a Lodge is called "The Gordon Lodge;" at Barnsley there is a Lodge called "The Royal Cumberland Lodge." In the itinerant warrant granted by the Duke of Cumberland, powers are delegated to Colonel Fairman, "to open new Lodges, and to set them in full operation." These facts are in themselves sufficient to create a strong presumption that each Lodge is a separate and distinct branch of the Orange Society. I shall now explain in what manner, according to the rules of the Institution, each Lodge is distinct from each other Lodge. By rule 7, every member of the Institution, from the rank of Grand Commissioner downwards, must belong to some specified Lodge; and no person is of right entitled to a seat in the Grand Lodge, nor shall be proposed for office, unless the Lodge to which he belongs is mentioned in his certificate. This rule proves that each Lodge has its own members separate and distinct from the members of each other Lodge. Now, with regard to the duties of these members, if the House would refer to rules 21, 41, and 7, it would find that each Lodge has not only its separate and distinct members, but it has likewise, its annual receipts, separate and distinct from those of other Lodges; it has its own funds, separate and distinct from the funds of other Lodges; it has its own officers, its own by-laws, separate and distinct from those of other lodges; and members of other Lodges have no right to interfere either in the distribution of the funds, the election of the officers, or in the making of the by-laws. For instance, if I were an Orangeman, which, thank God, I am not, I must belong to some particular Lodge—say to the Grand Cumberland Lodge, at Barnsley—I should be obliged to attend the meetings of that Lodge at least once a year; I should be obliged to pay an annual subscription; I should have a right of voting with regard to the distribution of the funds, the elections of the officers, and the by-laws of the Lodge. If I were to be in London I might attend the meetings of the Metropolitan Lodge, on the production of my certificate; but I should not be bound to pay a subscription to the Metropolitan Lodge; I should not be obliged to attend the meetings of the Metropolitan Lodge, and if I were to attend the meetings, I should merely be admitted as a visiter; I should have no right to bear a part in any of its proceedings; I should be unable to vote on any subject, either on the distribution of the funds, the election of the officers, or on the by-laws. Now, it is the right of voting in these meetings which, according to Sergeant Lens, is the material part of acting separately and distinctly; and this right is reserved in each Lodge to certain individuals exclusively. Thus, as an Orangeman, I should be obliged to belong to some branch of it; and, consequently, the Orange Institution is a society composed of separate and distinct divisions and branches, and of parts acting separately and distinctly from each other, and is consequently an unlawful confederacy. But the Lodge is not the only branch of the society; each Lodge is attached to some district, which is likewise a division of the society. This fact is easily proved. In Appendix, page 145, there is a list of district warrants: each district has its Deputy-Grand Master, who is obliged to report to the Grand Lodge, and who, according to rule 3, represents in the Grand Lodge the masters of warrants. Each district has its half-yearly meetings for the arrangement of its affairs. In rule 8, the object of these district meetings is stated. They assemble for the purpose of investigating matters of a local nature, and in order to receive returns from the masters of each Lodge, which are afterwards [transmitted to the Grand Lodge. These meetings are composed of certain specific individuals, who have duties to perform separate and distinct from those of the members of other districts. The right of voting in these meetings is confined exclusively to certain individuals. As the arguments which I employed in order to prove that each Lodge is a separate branch of the society, are the same as those which I should now have to employ in order to prove that the district is a branch of the society, I will not repeat them, but proceed to the last part of the case. I contend that the society is illegal, on account of the manner in which its officers are appointed or elected, according to the words of 39 Geo. III. c. 79, which I have already read, every society, " of which any part shall have any separate or distinct president, secretary, treasurer, delegate, or other officer, elected or appointed by or for such part, or to act as an officer for such part." Now, Sir, there are a host of officers appointed for particular parts of the society, and to act as officers for such parts; and there are other officers elected by parts of the society. App. page 131. In rule 3, I find " the Deputy-grand Masters of counties, cities, and boroughs, sending Members to Parliament, appointed by the Imperial Grand Lodge." " The Deputy-grand chaplains of counties, cities, boroughs, and districts appointed in like manner." " The Deputy-grand Masters of districts appointed by the Imperial Grand Lodge, on the recommendation of the brethren;" and if the House will refer to the annual reports of the Grand Lodge, they will find the names of those who are thus appointed. The officers of each Lodge are elected. In rule 3, it is stated—" The masters of warrants are annually elected by their respective members, subject to the approbation of the Imperial Grand Lodge." The election must take place in the first week in May. The fee on the first election is 5*s.* on re-election 2*s.* 6*d.*—Rule 41. The chaplains of each Lodge are annually elected. The committeemen are likewise elected. I need not trespass upon the patience of the House, by proving that these rules are adhered to—the evidence given before the Committee would easily demonstrate this fact to any person who will take the trouble of reading that evidence. Thus, Sir, to all intents and purposes, the Orange Institution in Great Britain is an illegal combination and confederacy. Sir, I would not, on any account, attempt to extend the meaning of a criminal statute, or endeavour to punish, as offenders, persons who merely have violated the strict letter of the law, without acting with the criminal intentions which the law meant to punish. But, Sir, when I read the preamble of the statute, I find its intention is to prohibit societies whose acts are similar to those of the Orangemen. The Statute says, " Whereas many such societies are composed of different divisions, branches, or parts, which communicate with each other by secretaries, delegates, or otherwise, and by means thereof maintain an influence over large bodies of men, and delude many ignorant and unwary persons into the commission of acts highly criminal." Is this not a just description of the Orange Institution? My hon. Friend has shown in what manner this society maintains an influence over large bodies of men, in what manner it has deluded at Airdrie and elsewhere many ignorant and unwary men into the commission of acts highly criminal. These Statutes, to which I have so often referred, are not obsolete—men are still suffering punishment under these enactments; they have been put in force against the poor and the ignorant—I now demand that they shall equally be put in force against the rich and the educated. The House must remember the case of the Dorchester labourers—those unfortunate men combined for the purpose of raising their wages, which is not an illegal act. They formed a secret association, which is not necessarily illegal. They were initiated with religious ceremonies, not more profane than those of the Orangemen. Unfortunately, their chief was not a prince of the blood—unfortunately, in their ignorance, they were not contented with mere ceremonies; in addition, they uttered certain words, which in a court of justice were considered to be an oath, and for their ignorance they were transported. The chiefs of the Orangemen are noble, rich, and well educated men. Their leader is the first male subject in the realm, not, however, thank God, as the hon. Member for Drogheda proposed to term him, the nearest to the throne. [Mr. *Randal Plunkett* rose to order. He called on the hon. Baronet to explain the assertion he had thus made.] The hon. Member most certainly used the term in question, and I will tell him and the House where. In the Report, page 114, there is a document containing these words: " The Orange Institution is the only society in Great Britain which already includes individuals of every rank and grade, from the nearest to the throne to the poorest peasant," &c. This document is indorsed, " Materials from the hon. Randal Plunkett for an address to the Carlton Club." I hope the hon. Member's memory is refreshed. Well, these men have combined to preserve abuses, they have bound themselves together by religious ceremonies as solemn as any oath. For, according to the ritual, when the candidate is initiated he must have the Sacred Scriptures in his hands, with the book of the rules and regulations placed thereon; he is commanded to study the former and obey the latter; he is received as a member of the society under the assurance of his sponsors that he will carry equally in his heart the laws of the institution and those of the Deity; kneeling, he is decorated with the Orange scarf, and he is told in the words of Scripture, "This shall be for a token upon thine hand, and for a frontlet between thine eyes; for by strength of hand the Lord brought us forth out of Egypt. Thou shalt, therefore, keep his ordinance, in his season, from year to year."—Exodus, xiii. 16—18. These secret signs and pass-words are made known to him; and in conclusion the chaplain, in joy at the coming of the new associate, with impious mockery saith, "Glory be to God in the highest; on earth peace, good-will towards men."—St. Luke, ii. 14. Thus the holiest words of Scripture are profaned in order to enforce and sanctify obedience to the commands, whatever they mas be, of his Royal Highness Prince Ernest Augustus Duke of Cumberland. For his powers are illimitable, discretionary, and "absolute." To him the "honour and welfare of this society are implicitly confided." What that honour must be, in what that welfare must consist, all men who have read these Reports, and heard the speech of the hon. Member, must now be full and well aware. Thus these most religious men have not hesitated to desecrate the religion of peace and good-will towards men, by employing it as a means of evading the law; nor have they scrupled to use the sacred ceremonies of their creed for the vile purposes of party feud. They have enrolled bishops and other cassocked priests, whom they have commanded to attend their meetings, dressed and decorated with the insignia of their holy orders; thus to give the semblance of a religious sanction to these their unholy mummeries and impious mockeries. The object of these ceremonies evidently is to impress a conviction upon the initiated that they are bound with all the force and solemnity of an oath. The Orangeman, when initiated, is surrounded by all the pomps of religion, the name of the deity is invoked, he is commanded to be obedident to the laws of the institution, and to keep secret their signs and pass-words; he kneels and vows, and by every conceivable sign acknowledges, his assent to these commands. Yet, say the Orangemen, as they never in so many words promise to obey, as they never say that they will keep secret the signs and pass-words—they affirm that their tests are not tests—their oaths are not oaths—and their engagements are not engagements. Such is the miserable casuistry by which these men, who so boast their respect for the law, attempt to evade the law. In some respects they may have succeeded in evading that portion of the law under which the Dorchester labourers were punished; but in other respects, as I have shown, they have utterly failed. The question now is, whether the poor alone are to be punished for their illegal societies, whilst the rich are to be permitted unlawfully to combine for evil, and traitorously to organise oppression. The means of crushing this Institution in Great Britain are easy and simple; I am perfectly convinced that evidence could be produced in a court of justice, to prove every one of my assertions if the law officers of the Crown will employ the powers vested in them by these Statutes. They can, if they think proper, stay criminal proceedings against any person who has offended against these Statutes; let them promise thus to protect the witnesses, and I am convinced many would be found amongst the members of this Institution, who, now aware of its noxious effects, would willingly atone to their country by giving such evidence as would infallibly convict the chiefs of this Institution of a misdemeanour for which they may be transported. Offences under two of these Statutes are misdemeanours. Peers, therefore, would not be tried by the House of Lords, but by a common Jury. Let, therefore, the law officers of the Crown present to the Grand Jury of Middlesex bills of Indictment against the Imperial Grand Master the Duke of Cumberland—against the Grand Master of England, Lord Kenyon—against the Grand Secretary, Lord Chandos; and to these worthies let them not forget to add the right rev. Father in God Thomas Lord Bishop of Salisbury. Thus, Sir, these Statutes, which were the creations of the sworn enemies of the people, may now, as it were, by a retribution of Divine Providence, become the means of crushing this institution—of destroying this *imperium in imperio*, and of laying prostrate its chief. At his fate none but his followers will mourn. A few years residence on the shores of the Southern Ocean would teach him and other titled criminals that the laws of their country are not to be violated with impunity, and that equal justice is now to be administered to the high and to the low. Thus this institution may be crushed in Great Britain. I am not acquainted with the Irish Statutes, and consequently cannot affirm whether the Orange societies in that country are illegal or not; but undoubtedly the House will be gratified in learning that the whole of the Grand Lodge of Ireland, that is, all the chiefs of a society, might easily be transported; for all members of the Grand Lodge of Ireland are members of the grand lodge of England; and the words of the Statute are, "Every person who, after the passing of this Act, shall, directly or indirectly, maintain correspondence or intercourse with any such society, &c.," "or who shall by contribution of money or otherwise, aid, abet, or support such society, or any members or officers thereof, as such shall be deemed guilty of an unlawful combination or confederacy." Thus it is evident that any person who has attended a meeting of the Grand Lodge of England is liable to be transported. Now I find recorded as present at various meetings of the Grand Lodge, the following members of the Grand Lodge of Ireland: — Lord Roden, Lord Thomond, Lord Langford, Lord Cole, M. P., the hon. Randal Plunket, M. P. colonel Verner, M. P., colonel Perceval, M. P., Henry Mannock, esq., M. P., Anthony Lefroy, esq., M. P. It would be sufficient to put the laws in force against these gentlemen to destroy the Orange Institution in Ireland. Thus, Sir, it seems to me easy in various manners to put down these societies. At least, let the Government adopt the advice of my hon. Friend. Let them strike off the Bench every Magistrate who is an Orangeman; let them dismiss from their employment every functionary who belongs to those societies; let them oblige the Horse-Guards rigidly to enforce its orders; in short, let them consider the muster-roll of that society as the list of their bitterest foes; as the catalogue of those implacable enemies of the people's rights, to whom it would be madness for their own sake—to whom it would be disgraceful for the people's sake—to confide any public trust. Thus proscribed, the society would soon perish; and if the Administration have either courage or energy they will not hesitate long ere they strike the blow. It will be miserable folly to attempt to conciliate the Orangemen. If the Ministers do not crush them, they will crush the Ministers—the struggle is a mortal one. He who spares his foe inflicts a wound upon himself—he who refrains from destroying will be destroyed. The Orangemen are now in the power of the Ministers, let them not hesitate one moment, but seal the doom of these noxious societies, and crush the chiefs.

Lord *John Russell* rose and said: Sir, I think it my duty to address the House as early as possible after the two hon. Members who have moved and seconded these resolutions, in order to put the House in possession of the course of which I gave notice on a former debate, that I should think it my duty to propose to the House to follow on this occasion. In proposing that course, I certainly feel that there never was a question upon which it was of more importance to come to a right decision, and that in stating my views upon this subject, I must also be considered as stating the general views of his Majesty's other Ministers upon a question which at different times has occupied their most anxious and serious consideration. Sir, I have to say on the one hand, that we have considered it with a view—with an opinion, that the society which has been the subject of debate this evening is mischievous to the country, and that it is our duty to endeavour to put an end to it. On the other hand, I must say that I approach the subject with no such feeling as I understood the hon. Member for Cornwall to express. I do not propose the suppression of the Orange society, because, as the hon. Baronet stated, those noblemen and gentlemen who are the head of that body are the bitter enemies of the present Ministry. I wish to consider the society simply as one affecting the peace and well-being of the country, the due authority of Government, and the proper administration of the law. This being the feeling with which I approach the subject, I think I am entitled to ask the support, not only of those hon. Gentlemen who consider it might be an advantageous thing to inflict a blow on the enemies of the present Administration, but also of those Members of the House who, though hostile to that Administration, still consider that the general results which I have mentioned are paramount to all party considerations, and ought to be binding upon themselves as well as upon us in this discussion. Sir, in treating of this matter, I feel it necessary to say in the outset, that I shall not enter upon any part of the question as to the papers and correspondence which the hon. Member for Middlesex has produced to the House this evening, I may be permitted to add, with little connection or arrangement. Whatever may be the importance of the matter—and I confess there is in it much that requires the serious consideration of the House. I do not conceive that I should be justified in pronouncing an opinion with respect to the effect and result of that correspondence on the present occasion. I shall therefore confine myself to that which appeared on a former occasion; to that which came out in the evidence taken before the House; to that which was declared in the resolutions of the House, read by the hon. Member for Middlesex at the beginning of the debate, and to that which is notorious to all who have paid attention to the subject. By far the most important part of this question, in reference to a political society, is that which concerns Ireland. After having attended as closely as I could to the hon. Member's speech, and having considered the whole effect of the evidence —more particularly the statements made by those who were members or chief-officers of Orange Lodges—I must say, without at present questioning what may have been their motives, or impugning their conduct, I must express my strong feeling that the effect of these societies has been injurious to the good government of the country. In the first place, the existence of societies of this kind, composed of bands of men, armed and prepared to stand in array by each other, following no recognised or lawful authority, but merely that of their own leaders, teaches a party of the King's subjects to enter into a state of warfare and defiance with another part of the King's subjects: this must be the unhappy result, whatever it be founded upon, whether a difference of religion or anything else. The moment you create such societies, and organise them into districts and lodges, and so forth, you make a distinction between them and the other parts of the King's subjects, who immediately form into similar societies under some other denomination, and thus you institute a perpetual and ever-recurring source of quarrelling, discontent, and insubordination. It is another evil of these societies, when they unite persons of the lowest order with many of the highest, that the lowest are accustomed to look to those who are high in authority in their own society as the leaders whom they ought to obey, instead of obeying the Crown and the depositories in whom the trust of the Crown is placed. By sanctioning such societies you do so far weaken the allegiance of the subject that you give him two leaders—you give him two sovereigns instead of one. And while in the one case there is required only that abstract allegiance which yields to no passion, in the other there is a combination of party and passion and sectarian feeling, making the difference between an obedience to what is salutary and beneficial, and an obedience to what is turbulent and factious. It is another evil of these societies—and I am speaking now of their natural constitution—it is another evil that being thus supported by their leaders, and imbued with party feeling, they hold to that party feeling in spite of the supremacy of the law. Thus a state comes to be divided into parties suspiciously fearful of each other; and when a case is brought into a court of law, instead of its being decided on the principles of justice, those united in these societies think the prosecution is directed against them, and in this way hostile party feelings are generated, which are most injurious to the pure and quiet course of justice. Here I must be allowed to say I much regret that the hon. Member for Middlesex has spoken with a disrespect, which I think he is far from deserving, of a nobleman, on whose authority I must rely for a confirmation of the impression I have received with respect to these societies—of a nobleman of whom I must remark, that though he is certainly not connected with us as a party, yet is a person of so much prudence and moderation, that I think my noble friend opposite did not hesitate to recommend him for one of the Lords-Lieutenant of Ireland, Lord Caledon, I mean: and no doubt he is a nobleman fully qualified for such a situation. Lord Caledon, in his examination before the Committee of this House in 1835, said, in reply to a question put to him, that he would answer by reading part of a letter which he addressed to Colonel Verner relative to an Orange procession on the 27th of April, 1832. His Lordship read as follows: "It is hardly necessary for me to add, that I neither did nor can subscribe to your position, that the word Orangemen means Protestants generally. I believe there are few who value the Protestant population of Ulster more highly than I do; but when a portion only of that body become members of a political society, I cannot consent that such portion should assume to itself the right of being considered the Protestant body at large. I look upon the Protestants as the main support of British connection, as the most industrious and intelligent part of our community; but I consider the Orange system as tending to disunite us when our religion alone should be a sufficient bond for our union; that is the opinion I entertained on the 5th of July, 1832, and which I still retain." Another question is put to his Lordship as follows: "In fact the Orange body, so far from assisting to execute the laws, are in the county of Tyrone the very people who are most active in infringing the laws, and against whom your Lordship is desirous of further legislative enactment?" His Lordship answers—"The Orange body is composed of men of different habits, and different ways of thinking; there are amongst them many who do maintain the laws to the utmost; there are others of very loose character. I think all party associations injurious to the peace of the country, and opposed to good order; though there are many individuals in the body who are well disposed to enforce the laws they have not the power to control those under them." Again the noble Lord is questioned, "Your Lordship is doubtless aware that one of the ostensible objects of the Orange system is, to provide for the security of Protestants *en masse* against the great body of the Roman Catholics in Ireland?" Answer; "I believe it is: but I consider every subject of these realms is bound to look to the laws of his country exclusively for protection in all cases, and I consider it most dangerous to inculcate upon the population of this empire, that it is unsafe for them to do so. I not only object to the formation of all party associations on these grounds, but likewise from their tendency to give individuals a power and influence unknown to the constitution." These, Sir, are the opinions of a man, whose opinions are not what are called extremely liberal, but who, on the contrary, has generally supported those who are considered as opposed to liberal opinions; these are his sentiments, derived from the view he has taken of the society where he resides and is respected, both as a public man and a landowner. Such being my view of these institutions, and of all similar societies, considering them as injurious to the peace of the public, as weakening the authority of the Crown, as weakening the supremacy of the law, and, likewise, as disturbing that religious equality and harmony which otherwise must prevail. I certainly am one of those who declare that my object would be, if possible, to rid ourselves of all assemblies—whether called Orange societies, Ribbon societies, or any other name of this particular character. But in considering this question as a matter of state, we have to consider the various obstacles which may be opposed to the different modes suggested of effecting an object, and the course which, on the whole, is most likely to effect it. There might be a way of proceeding of a very decided character—very prompt and energetic, but which, so far from destroying the flame of this Association, would but raise it higher—carrying it up to a height which it would not otherwise attain, and, instead of finally extinguishing it, would cause it to burn more steadily and more destructively. I will now consider the proposal which the hon. Member for Cornwall has made on this subject to the House. He has stated it to be the clearest matter possible—and it may be so to his understanding. When I say this, I know that many men, I believe exceedingly eminent as lawyers—certainly possessing a great acquaintance with the law authorities—are of the same opinion with the hon. Gentleman. I certainly did not mean any reflection on the hon. Gentleman, but only that he stated his proposition in a manner which might warrant the inference that it is not possible to entertain a doubt on the subject. After the report made last year by a Committee of this House, which concludes with saying that it is not necessary to enact new laws with reference to these societies, but that the laws in existence, if carried into execution, would be sufficient for the total suppression of these Orange societies, I certainly thought it my duty to see what view would be taken by the law officers of the Crown on this subject; and I also thought it my duty, instead of putting a dry question in an official shape, to see my learned Friend the Attorney-General, and converse with him generally on the whole bearings of the matter. The impression left on my mind from all he then stated was, that the question whether these societies were illegal or not, was one of great doubt, and that without looking most carefully into the whole of the subject, I should not like to pronounce absolutely whether such societies were legal or illegal. I further understood that my learned Friend the Solicitor-General entertained a similar view. In considering, then, the bearings of this view of the case, the Government were of opinion that if this, which was a severe penal statute, did not contain positive enactments against this offence, it was not proper for us to seek to find some meaning in the law which would be constructed by our leading men of great eminence at the bar, as a straining of the penal statute—we were of opinion that it was not proper for us to take a course which would involve a discussion as to whether or not we had not forced the meaning of an enactment operating against the liberty of the subject, in order to procure a condemnation. I ought also to say, I think even if I had been able to discover that the Orange society had contrived to evade parts of the law, yet in other respects had conformed to it, in my opinion it would in principle be so mischievous to the liberty of the subject for Government to be attempting to strain the effect of penal laws, that I did not think that we should be justified, on our own authority, in proceeding at once to ascertain the degree of evasion. At the same time I must declare, that I certainly heard nothing from my hon. and learned Friends which would induce me to say, that their opinions sanctioned the legality of these associations, but, as far as might be judged from that which my hon. and learned Friend the Attorney General urged, without presuming to form an opinion on the subject myself—I should say, that the question appeared to be one of considerable difficulty. By the 39th of George 3rd the taking of oaths is illegal; this the Orange society had dispensed with. The secret signs and symbols of the society are not illegal. But it is illegal to have district meetings, with several presidents in different parts of the country in communication with each other. But it appeared by the opinions given by Sir William Horne, Mr. Sergeant Lens, and Lord Gifford, that the Orange Societies did not come within the meaning of the law in 1822, and therefore, if they came within the terms of any Act at the present, it must be by some recent change in their constitution. If they were considered legal in 1822 by great authorities, and if without any real and substantial mutation some merely formal change has taken place, which renders them amenable to the penalties of law, I should certainly be averse from bringing the question to issue on such narrow grounds. The hon. Member for Cornwall mentioned the case of the Dorchester Labourers. I will take the liberty of alluding to the course pursued by Government upon that occasion. At that time Trades' Unions existed in great numbers, and in the metropolis itself not less than 30,000 of them marched through the streets in procession for a particular purpose. There were extensive branches of these bodies in the country, and most of them were believed to have taken an oath, which brought them within the meaning of the law. The question came before Lord Grey's Government, and he stated, in resigning office, that he had great satisfaction in finding that the Unions had nearly ceased, although no steps had been taken either rigidly to enforce existing statutes, or to pass new laws against them. It was, therefore, the opinion of Lord Grey's Administration that the proper method of dealing with associations of that character was not by immediately instituting proceedings against them in courts of law. In the case of the Dorchester Labourers the prosecution was not undertaken by the Government, but by magistrates in the county, on account of disturbances in a particular locality. It only remained for the Government to consider whether, a conviction having ensued, and sentence having been passed, it was expedient to make any change in it—a question totally different from the general policy of Government with respect to the unions in general. With respect to the question before the House the Ministers had to consider whether, if they would not be justified in straining a penal statute to meet those cases, was it adviseable that a new law should be enacted? The opinion of the Government certainly was that it was not desirable to introduce any new law upon the subject. If they were to frame a Bill to be carried through Parliament for the suppression of these societies, such a law, if carried, would be looked upon by the parties against whom it was directed as a vindictive proceeding and a stigma directed against them. The great end of such a law would be defeated, and though the societies might disappear in one form they would not be suppressed. The very effect of such legislation would be to keep alive their spirit of party association, and they would rise up again in some other form. I will now refer to that portion of the resolutions proposed by the hon. Member for Middlesex, which pledges the House to recommend the dismissal from all employment under the Government of all persons belonging to these societies. Now it is very easy to point out the inconvenience of such a course of proceeding as the hon. Member proposed. In the case of Judges who may be members of the Orange Society, they could not be removed unless by an address from Parliament. It is the intention of the law in order to maintain the independent administration of justice, the Crown should not have the power of removing Judges, but if proper cause should arise, the Parliament must address the Crown for their removal. Now supposing that that House agree to an address for the removal of a Judge, is it certain that the other House of Parliament would do the same? It certainly is right, when a particular case arises, that the House should have the right to address the Crown for the removal of a Judge on sufficient cause; but nothing would be more inconvenient or more objectionable than a general address to remove Judges on account of their connexion with Orange societies, such as that which was suggested in the resolution before the House. As to the other part of the question, whether it be expedient that they should remove at once from all situations under the Government every person who belongs to these societies, I do not think that such a course would be advisable, nor that it would conduce to the object in view, of effecting the suppression of these societies. There are many men in Ireland, of high character and station, many of them filling the situation of Magistrates, who entered into these societies from a sincere feeling that in doing so they were lending their aid to the Protestant interests, and to remove them at once by an address of the kind proposed, without any previous declaration, would place such a stigma upon them as to make them conceive that they must in honour still remain bound together; and they would not consider such address as a fair declaration of the opinions of the House, but as an unfair oppressive and vindictive step directed against them. What was the course that the Government had heretofore pursued on this subject. They had had much correspondence with the Lord-lieutenant of Ireland on this particular point. This correspondence had reference to various circumstances bearing forcibly upon this part of the subject. Though it appeared that there were many persons connected with these societies hostile to the Government, and opposed to the authority of the Lord-lieutenants, yet they had not been removed from the situations which they held under the Government. At the same time the course which the Lord-lieutenant had been desirous to take was, that whenever any person applied to him, or to the Lord Chancellor of Ireland, to be appointed to a place of trust or emolument, if, on inquiry being made into his character, it was found that he was at the time a member of the Orange Society, the appointment was not bestowed. It certainly is the perfect right of the Crown, whenever parties apply to be appointed to places of trust, to refuse to appoint them, unless they are fully able to observe all the conditions necessary to the fulfilment of that trust. Certainly a gentleman who has appeared decorated with orange symbols, at the head of an Orange procession in a country market-town is not a fit person to be selected for any appointment under the Government. To show, however, the spirit which prevails among many persons holding a high station in Ireland, and the view which the Lord-lieutenant and many noble Lords entertain on this point, I will take the liberty of reading to the House two letters, out of a correspondence which passed between Lord Dunsany and Lord Morpeth, relative to a Mr. Smith, who was recommended for the post of a Deputy-lieutenant. The noble Lord then read the following letters:—

> "Dunsany Castle, Dec. 27, 1834.
>
> "My Lord—I received your Lordship's letter of the 26th inst. this day: In your former letter you asked me whether Mr. Henry Smith held an office in an Orange Society. I answered that I had no means of ascertaining, not belonging to it myself. My son, Mr. Plunkett, was then in the county of Kilkenny; he is now with me, and informs me that Mr. Henry Smith no longer holds the office you mention, but another replaced him about a year ago. As to his being an Orangeman, I suppose he is, as he generally held office, and so are, probably, half the Magistrates in the county; and if so, they are the more watchful of the evil designs of the Ribandmen, of whom a large majority of the labouring classes are composed.
>
> I have the honour, &c.
>
> Dunsany."

Having read this letter, I must say, that I consider it to be a proof of the distorted views which men of irreproachable character take of this subject. The answer of Lord Morpeth was dated the 29th of December, and was as follows:—

> "My Lord—As your Lordship, in your letter of the 27th instant, in recommending Mr. Henry Smith, states that you suppose him still to be an Orangeman, and as it is His Excellency's intention not knowingly to make any more appointments of members of that society, his Excellency must therefore repeat, that unless Mr. Smith either denies his connexion with it, or signifies his intention of withdrawing from it, he must decline to nominate him a Deputy-lieutenant for the county of Meath. His Excellency cannot close this correspondence without expressing his most entire and unqualified dissent from the opinion which appears to be conveyed in the latter part of your Lordship's letter, that Magistrates, by becoming Orangemen, are thereby more fit to watch the designs of Ribandmen. Should such designs exist to the extent and amongst the persons your Lordship supposes, his Excellency will look alone for their suppression to the open and impartial discharge of their duty by the Magistrates as such, and not to their connexion with Orange Institutions."

Such is the view which his Majesty's Government—such is the view which the Lord-lieutenant of Ireland takes of these societies. Wherever there are Ribbonmen who act in opposition to the law, every means of suppressing them will be resorted to. But there is a great difference between the associations, and whilst Ribbonism is confined to a portion of the labouring classes, no person in Parliament—No Lord-lieutenant of a county—has, as yet, admitted himself to be in connexion with it; but, with respect to Orangeism, persons of exalted rank and high station have deemed it right to avow such a connection, and expressed it as their opinion that such secret societies were the best counterpoise to disaffection. Therefore, it is, that the Lord-lieutenant of Ireland deems it his duty to abstain from appointing Orangemen to the Magistracy, lest, being biassed by any influence, they may not be able to view impartially the cases that come before them. Then I am prepared to say, that it is not only convenient to adopt measures of discouragement in respect to those societies, but I think, when their nature is so completely unveiled, as to be condemned in the opinion of liberal men of every party, they must gradually diminish. I will, however, propose as an amendment to the motion of the hon. Member for Middlesex, a resolution discouraging such societies, followed by an address to the Crown. As regarded the motion of the hon. Member for Middlesex, it cannot be supposed that the House of Commons is prepared to second an address, praying for the removal of the Judges of the land from their high offices, as if they were so many criminals, without some more clear and decisive allegations being made against them. This certainly is not to be expected; but if the House express a general opinion that such societies are dangerous and mischievous; if, on the expression of such an opinion by the House, an address, in conformity with it be presented to the Crown, and gain the sanction of his Majesty, the persons hereafter belonging or adhering to such societies, will be placed in a different situation from that in which they were at present. Not only will such a proceeding have its effect upon persons in that and in another House, but even upon one who has been described by the hon. Member for Drogheda as the person nearest the throne. I feel satisfied when that illustrious Personage finds the general sense of the House and the opinion of his Majesty against such societies, he will take a different view from that which he at present takes with regard to this subject; and though the Illustrious individual, as well as others might still continue to believe, that such associations were best calculated to promote the end they had in view, still I cannot imange that any person of proper and loyal feelings, anxious to promote the good of the country, will resist an opinion so generally and so solemnly pronounced. I will say but a few words more on the general bearing of the question before the House. I am not surprised to find evils like that under the consideration of the House in a country circumstanced as Ireland is. Indeed, such is the anomaly of her condition, that nothing could have prevented their growth. When William 3rd. was selected to fill the Throne of these kingdoms, though he was acknowledged by a majority of the people of England and Scotland, the people of Ireland were only kept in obedience by the force of arms in the hands of a powerful minority. This minority was compelled to protect itself by the enactment of penal laws, harsh and cruel in their nature. As the danger diminished, and as the age became averse to such rigorous enactments, these laws were relaxed, and others were framed, in a new and better temper. After this relaxation, those who had been hitherto a powerless and abject, although a numerous majority, grew in strength, and wealth, and power, and intellect, and claimed as their natural due an equal participation in all social rights. This, of course, was calculated to offend the prejudices, to alarm the fears, and disturb the power of those who had so long held an undisturbed monopoly; and, as a means of obviating the threatened destructive inroads, the latter resorted to combination, to union, and to secrecy. This naturally produced a resort to similar means by the opposite party, and it was not to be wondered at, that the dissemination of societies, secret, partial, and exclusively religious was the consequence. But the time is now come when the people of Ireland ought to depart from these separate and hostile associations, when they should lay down the arms with which they waged this antisocial warfare, and resort for the decision of their differences to the temple of the law. The Protestant, the Catholic, the Presbyterian—every man of every faith should deem the British Constitution and the British Law sufficient for his protection, without any other auxiliary. If these are not found sufficient, let complaint be made to Parliament, and if Ministers, on such complaint, neglect their duty, then let the blame rest upon them, and let punishment follow. If the Judges of the land, or any persons in trust, do not perform their duty purely, impartially, and uprightly, let complaint be made in Parliament of inattention and partiality, and let that complaint be strictly and promptly attended to. With these observations I will conclude, by imploring the well-disposed of all parties to dismiss from their thoughts all reliance upon such false, inadequate, partial, and mischievous protections as those societies afford, and to rely only upon the laws and the Constitution. Such societies are only calculated to subject upright and well-disposed men to the machinations and practices of the vilest adventurers. For the good and the virtuous—and good and virtuous men belong to the association—these secret societies are powerless and useless; but they are both useful and powerful for mischief to active and designing intriguers. Let all good men, then, abandon them, and confiding in the powers of the Constitution, for the upholding of justice and of freedom—confiding, too, in that publicity of proceeding which is one of the great elements of the Constitution—let all unite in an address to his Majesty, in the humble but fervent hope, that it will impart present tranquility to the kingdom, and ensure its future welfare. The noble Lord concluded by moving the following resolution as an amendment, "That an humble address be presented to his Majesty, praying that his Majesty will be graciously pleased to take such measures as his Majesty may deem advisable for the effectual discouragement of Orange Lodges, and generally of all political societies, excluding persons of different religions, and using secret signs and symbols, and acting by means of associated branches."

Mr. *Wilson Patten* said, that whilst on the Committee which sat upon the subject of Orange Lodges, he had devoted considerable time and attention to this subject, and it was with great pleasure, he concurred in almost all the observations which had just been made by the noble Lord. Having gone through the whole of the evidence, it was his impression that all secret societies produced an injurious effect upon the peace and tranquillity of the country. He, however, must be permitted to say, that the speeches of the hon. Gentlemen who had preceded the noble Lord were like those of persons more anxious to attain victory than to arrive at truth. He certainly objected to the strong resolutions which had been laid before the House, and he also deprecated personal reflections, as having a tendency to provoke personal hostility. He would take the liberty of reading to the House a resolution which it had been his intention to propose to the House. [The hon. Gentleman here read a resolution for an humble address to his Majesty, praying that his Majesty would take such steps as in his wisdom he might deem fit for the suppression of all secret societies which excluded persons on account of their religious faith, and which used secret signs and symbols.] It would be seen, that in this resolution he did not particularise any one secret society, but aimed it at all generally, and he would suggest to the noble Lord the propriety of acting in the same manner with respect to the Amendment which the noble Lord had proposed. Before he sat down he would press upon the noble Lord the propriety of acceding to his suggestion of making his resolution more general by omitting to name any particular society.

Mr. *Sharman Crawford* said, as his evidence had been specially alluded to by the hon. Member for Middlesex, he trusted he might be permitted to offer a few observations. In justice to the Orangemen of the North of Ireland, he felt himself bound to state, that on the occasion alluded to, when the Orangemen at Crosgar resisted his authority as a Magistrate, acting under the proclamation of the Duke of Northumberland, then Lord-Lieutenant of Ireland, they were impelled to that resistance solely by the conviction of their having warrants signed by his Royal Highness the Duke of Cumberland. They acted under the false impression that this gave them a legal right to have their processions, and that it had all the power of an authority emanating from the Crown itself. As an additional proof of this, he said that they offered to surrender their warrants to him, if he stated he had an authority from the Crown to demand them, and that in such case they would immediately disperse. Thus the Orangemen were acting under a false impression, and not from any wilful opposition to the law. The Orangemen were sufferers by bad government with their Catholic brethren. They were cherished, supported, and encouraged in every measure for many years, by the several governments to whom power was committed. Latterly, unsuccessful attempts had been made to put them down, and why were those attempts unsuccessful? Because their leaders, persons holding the highest situations of trust and profit under the Crown, were permitted to abuse and malign the Government, from whom they derived their authority, and to represent to the people, that the conduct and proceedings of that Government were such as to justify a transfer of allegiance. Whilst persons of this description were permitted to hold their offices, and to be the deputies of that very Government which they so maligned, the people have consequently been impressed with the opinion that the demonstrations of opposition to the Orangemen, by the state, were mere pretences, or else that they were too powerful for the state to oppose them. Under such circumstances were the Orangemen to be blamed? Was it not injustice to pass laws against them, and leave the higher class without censure or punishment, who were the active promoters and direct encouragers of the very resistance to the laws they were appointed to administer. There could be no more valuable members of society in any other respect than the great body of the Orangemen of the North of Ireland; and he was satisfied that if Government were to take decided means to show that such societies were illegal, and temperately but steadily act in accordance with such a system of policy, by enforcing obedience from those to whom they delegated the administration of the laws; the Orangemen would submit to the law. The noble Lord at the head of his Majesty's Government seemed to doubt whether the Acts in operation in England were sufficient to justify legal proceedings against the body. He was at a loss to understand upon what grounds the Trades' Unions were declared to be illegal, even under the common law alone, in a proclamation issued some years back, unless on grounds equally applicable to the Orange institutions of Ireland. The noble Lord said, that the Unions exhibited themselves in large bodies of thousands. He asked did not the Orangemen do so in Ireland? Why, then, was there no proclamation issued to warn the people from connecting themselves with the Orange societies? Proclamations had been issued against processions, but not against that organization from which processions proceeded. Why was the evil to be thus trifled with, and why were the people to be thus led astray? Why were they permitted to act thus under false impressions, and then afterwards to be punished for crimes which emanated from the faults of others, and from the imbecility of the Government itself. He thought it necessary to say this much in justice to the Orange societies, and he concluded by giving his cordial support to the motion of his hon. Friend the Member for Middlesex.

Mr. *Henry Maxwell* said, that from the situation which he held in connexion with the Orange Lodges, it was necessary he should say a few words. It would be in the recollection of the House, that when the hon. Member for Kilkenny gave his notice of Motion for the appointment of a Select Committee, at the commencement of last Session, to inquire into the state of Orange Lodges in Ireland; that notice was immediately met by the Grand Committee in Dublin, who petitioned the House to institute the strictest inquiry, placing at the disposal of that Committee all their books, and documents, sending over their officers to reveal the secret signs and passwords, and giving every possible information. That Committee was appointed, and he did not object to the numbers on both sides, during the whole of the proceedings, there being fourteen against, and thirteen supposed to be favourable to the Orangemen. He did, however, object to some of the gentlemen who were allowed to be upon the Committee. Of the fourteen who were against them, five were Roman Catholics, and all of them lawyers; out of the five, four were distinguished members of the Roman Catholic Association. The only individual who was not so was the right hon. Gentleman, the present Attorney-General for Ireland. Two gentlemen were distinguished members of the Irish bar. One of these gentlemen (the Member for Tipperary), even before the examination of witnesses commenced, stated distinctly, in the presence of the Committee, that his object was to condemn the Orangemen. He went there, in fact, with his mind made up, and his sentiments were well known. It would be within recollection, that another learned Gentleman to whom he referred (the Member for Dublin) had made a most eloquent appeal, a few years since, to the worst passions of an infuriated populace, adjuring them by the hatred they bore to Orangemen. He was the only partisan on the Committee; the hon. and gallant officer, the Member for Sligo, (Colonel Perceval) had been nominated upon it, but had refused to serve. At a subsequent period, and at the close of the investigation, the name of the hon. Member for Donegal (Sir E. Hayes) was added. With respect to the general conduct of the Committee, he thought he had every reason to complain. The hon. Member for Kilkenny (Mr. Finn) commenced the investigation, by examining witnesses who were brought for the defence. This course he (Mr. Maxwell) objected to, at the time, but not wishing to throw any impediments in the way of the fullest investigation, he subsequently acceded to this rather unusual proposal, but he did so upon the stipulation, that after the officers of the institution had been examined, witnesses for the prosecution, as he might call it, should then be examined, and a full rebutting case afterwards allowed to the Orangemen. This course was adhered to, with the exception of the latter part of the arrangement. The Committee refused, what, in strict justice, and according to agreement, they were bound to admit—namely, the production of witnesses, who were prepared to contradict and explain much of the inculpatory matter adduced before the Committee—but whose evidence was refused to be received, notwithstanding that the witnesses had actually been summoned. All he (Mr. Maxwell) could gain from the Committee was, the examination of his honourable friend, the Member for the county of Armagh (Colonel Verner), to enable him to answer charges personally affecting his character, and of Colonel Blacker—the Committee being as anxious as he (Mr. Maxwell) was, that they should receive information from a gentleman who had belonged to the Orange Institution since its origin, in 1795, to the present day, and to have the benefit of his historical knowledge of the operations of the society for a period of forty years. It was true that he was himself examined—but then it was merely for the purpose of explaining a clerical memorandum, which he had annexed to one of the original warrants—and that Mr. Blacker's re-examination took place for the purpose of explaining the nature of the Colonization Society, which had been loosely termed "Colonies," in one of the resolutions of the society. By this unfair conduct on the part of the

Committee, the Orangemen were precluded from what, both in common fairness and by a positive agreement, they were justly entitled to—the possibility of refuting, as they were fully prepared to do, the numerous calumnies and falsehoods which their enemies had brought forward in evidence against them, thus leaving the House and the public to form an opinion adverse to the Orange Society upon *ex parte* statements, which he (Mr. Maxwell) had ample means, but no opportunity, allowed him to disprove. There was one allegation in the speech of the learned Member for Kilkenny, which he was utterly astonished that any individual in that House could have made. That Gentleman had thought fit to assign in his speech, as the main reason for his not allowing the examination before the Committee to proceed, his conviction that the evidence which had been given was of so injurious a character to the Orange Institution, that the Orangemen on the Committee would (if he had not cut short the inquiry) have destroyed the documents which they had been so forward to place on the Table of the Committee. He would not have condescended to notice such an imputation except for the purpose of giving to it, as applicable to himself, his colleague, (Sir E. Hayes) or those highminded, honourable, upright, and honest Gentlemen whom he had produced as witnesses before the Committee, the fullest, the most unqualified, and indignant refutation. He had repeatedly addressed the House, during the many years he had the honour of a seat in it, in favour of the character and principles of the Orange Society, which he maintained was strictly defensive. He was aware that secret political societies were in themselves great evils, and could only be justified upon the ground of there being an absolute necessity for their existence—such an absolute necessity, he maintained, had existed, and did still exist, where the Protestant institutions of the country were not only threatened with extinction, but were absolutely visited with imminent danger in Ireland. The principles of the Orange Society of Ireland were those of uncompromising loyalty to the Crown, and devoted attachment to the laws of the land—and these were the principles upon which the Orangemen had invariably acted under all circumstances, whether of prosperity or adversity; they were principles, too, which the Orangemen would ever retain, however much they might be aspersed by those to whom they were politically opposed. Having made this observation, he treated with contempt the charge which had been made against the Orangemen of Ireland, of wishing to alter the succession to the throne. Two hon. Gentlemen, who had addressed the House upon this subject, had spoken of the misconduct of the Orangemen of England. Of that body he (Mr. Maxwell) knew nothing; he was not acquainted with its rules and regulations; it formed no part of the Irish system; there was nothing in common between them, except that the Duke of Cumberland was at the head of the Orangemen in both kingdoms. It had been said, that the illustrious Duke was the irresponsible head of the Orangemen in England. He (Mr. Maxwell) knew not how that fact might be; but this he could say, that the Duke of Cumberland was not the irresponsible head of the Orange body in Ireland. In the Irish body the illustrious Duke possessed no more power than he (Mr. Maxwell) did, and he (Mr. Maxwell), as an individual, possessed no more power than the commonest member of the society. He would not now trespass further upon the patience of the House, than to state that it was not his intention to reply to any of the observations made in the temperate, moderate, and judicious speech of the noble Lord (Lord J. Russell). If the words "Orange Society" were omitted from the resolution which the noble Lord concluded by moving, he (Mr. Maxwell) should offer no opposition to it. The Orangemen of Ireland (continued the hon. Gentleman) as I have already observed, consider themselves bound to obey the law of the land. We consider as tantamount to the law of the land, the express commands of the Sovereign. If, therefore, His Majesty should express a decided wish that the Orange Society of Ireland (whether mentioned by name, or not, and I should hope it would not be specifically mentioned in the address)—if his Majesty should express a decided wish, that societies of a similar nature and tendency should cease, under pain of incurring his serious displeasure, I, speaking as an Orangeman myself—and, I believe, I may include the whole body in the assertion—declare that there is not an Orangeman in Ireland who, rather than act as a bad subject, although the step might be most painful to his feelings, would not cease at once to be a Member of the Orange body.

Colonel *Verner* said, as my name stands in the list of notices for a motion upon the subject which is now before the House, I trust I may be permitted to address a few observations to it, which I feel more particularly called upon to do, from the nature of the noble Lord's resolutions which have just been read. I do not consider it necessary to notice the allusion made by the hon. Member for Kilkenny, respecting nine or ten houses which were burned at Armagh, now magnified, by him, into sixteen, or to follow him through his several charges against the Orange body and his many statements, upon the occasion of bringing forward his motion a few nights since, neither do I think it necessary to quiet the hon. Member's loyal apprehensions, with regard to the dangers to the succession to the throne. Danger to the succession, and from the Orangemen —there is not a man of common understanding who could seriously entertain the idea. I am quite sure the illustrious Princess, on whom the hopes and affections of the people are fixed, is not distrustful of any portion of the Protestants of Great Britain; but of this I am also sure, that even in the general attachment of all, the loyalty of Orangemen will not be least conspicuous. And if there were danger to the throne or the succession, and a day was come which I may be permitted to hope is far distant, that that illustrious Princess had to call upon her subjects—in the hour of danger—there is not throughout the extent of the land an Orange Lodge, in every member of which they could not find a champion ready to risk life and fortune, and shed the last drop of his blood in the maintenance of her rightful authority. The House is fully aware, as stated by my hon. Friend the Member for Cavan, that a Committee sat last session for several days to inquire into Orange Societies in Ireland —that it took the depositions of very many witnesses against that society—some in its favour, but many more were postponed, and ultimately refused to be examined. The House must also recollect that that Committee did not make any report upon the evidence adduced before it; and was it not rather too much for the hon. Member for Kilkenny to expect that when a Committee, especially appointed to examine evidence, was unable to make a report to this House, the great majority of its members remaining unacquainted with the character of the witnesses and the value of their testimony, should accept the opinion of the hon. Member as the impartial decision of an unprejudiced person, and adopt it as their own? At least I should expect that the accused party should have, what the Committee denied it, a full hearing, and it would not be too much to claim that it should have what, in the hon. Member's Committee it had not, an impartial tribunal. I do not make this assertion lightly, I remember well that the hon. Member, when first he moved for a Committee, declared his wish that it should consist of Members without prejudice on the subject; he even desired, if I rightly remember, that it should consist of English Members, aided by one Irish Member on each side. Subsequently the arrangement was altered. I acquit the hon. Member of blame. I impute blame, indeed, to no party concerned; but it is right to state, that the original design of a Committee was abandoned, and that members were placed upon it who had declared themselves the inveterate enemies of the society, on the character and tendency of which they were to hear evidence and pronounce judgment. It was altogether a strange and inconsistent alteration. The hon. and learned Members for Dublin and Tipperary were placed upon the Committee, and I, when it was proposed that I should be substituted in the place of an hon. Member who had resigned, I was excluded. Was this fair? On what grounds could I be objected to? I was not impartial. Was this to be an objection, when the hon. Members for Dublin, Tipperary, Kilkenny, Waterford, and Dungarvon had been selected? What was the Committee? Was it a court where contending interests had their representatives? Was it a Jury where a cause should be impartially tried? If it were such a court, why was I excluded? If it were a Jury, why was the hon. and learned Member for Dublin placed upon it? I feel myself especially called upon to notice the fact of my exclusion, in consequence of a statement made in the *Edinburgh Review*, in an article in which indeed there is the candid acknowledgement that the Reviewer's object is not to do justice to the Orange Society, but to exhibit whatever demerits may be ascribed to it. In that article too it is asserted that Colonel Verner was a Member of the Committee, and therefore I think it right here to affirm, that that statement is one among the many inexcusable misrepresentations with which the *Review* is chargeable. I am unwilling to trespass upon one moment of the time of the House unnecessarily, and was it not that I feel confident I can, with the most positive assurance of success, satisfy the House as to the correctness of the evidence given by one of the principal witnesses who were examined before the Committee, I should not venture to crave its indulgence, while I, very briefly, call its attention to the evidence of one or two gentlemen, which I have reason to believe has not failed to leave an impression upon the public mind prejudicial to the Orange Institution, and there were some facts stated by Mr. Randal Kernan, which I hope to be able to show, to use the words of my hon. Friend the Member for Bandon, are anything but facts. In order to do so, Sir, it will be necessary that I should read to the House a small portion of the evidence of Mr. Randal Kernan. Sir, the first case to which I shall call the attention of the House, is the well-known case of Mr. Hamilton. The learned Gentleman states he was counsel for the case, consequently must have been well acquainted with all the particulars. The following was his deposition:—

"7327—The friends of the deceased and the party who were assaulted, heard that Lieutenant Hamilton intended to fly the country, they made a prisoner of him, and brought him before two Magistrates; the rev. Mr. Stack was the name of one, I have not the name of the other Magistrate.

"7329—The people applied to those Magistrates to grant a warrant to commit Lieutenant Hamilton. The Magistrates refused, saying, they would take the father's security for the son's appearance, and they did take his verbal security. Young Mr. Hamilton thought proper to forfeit the verbal bail taken by the Magistrates. He fled from the country, and did not return for some years. He is now returned, and is a Justice of the Peace for the Co. Tyrone.

"7330—I know Mr. Hamilton is now a Justice of the Peace in that county in which he is charged with having committed the murder.

"7334—I was counsel in that case.

The House will here observe that counsellor Kernan states, in direct terms, not once but twice, and from his own knowledge, that Mr. Hamilton is now a Magistrate for the county of Tyrone. The House will judge of the accuracy of this assertion when it has heard the letter of the Lieutenant for that county. Sir, this is the letter of Lord Caledon to the noble Lord opposite, the Chief Secretary for Ireland:—

"Caledon, 29th January, 1836.

"My Lord—As it was stated in evidence by Mr. Randal Kernan, before a Committee of the House of Commons which sat to inquire into the nature of Orange Lodges, when speaking of Mr. Hamilton, 'he is now a Justice of the Peace in that county (Tyrone) in which he is charged with having committed the murders, and on which charge a bill of indictment was found against him,' it becomes my duty to acquaint your Lordship that Mr. Hamilton neither is, nor ever was, a Justice of the Peace for the county of Tyrone.

"I apprised Mr. Kernan on the 29th of October, 1835, of the error into which he had fallen, and which he at once admitted, but as I know that his evidence has misled the public at large, I entreat your Lordship to adopt the mode you think best to undeceive it.

"I have the honour to be, my Lord, your Lordship's most obedient, humble servant,

"CALEDON.'

"Viscount Morpeth, &c. &c."

I shall now beg to call the attention of the House to that part of the learned Gentleman's evidence, where he states that Lieutenant Hamilton was made prisoner, and taken before Mr. Stack and another Magistrate, who refused to take examinations, or grant a warrant, but admitted him to bail upon the verbal promise of his father for his future appearance. Sir, the letter I am now about to read to the House is from Mr. Stack, the Magistrate named by Mr. Kernan:—

"My Dear Sir—In reply to your letter of the 16th instant, I assure you that if counsellor Kernan said I released Mr. Hamilton on the word of his father, it is a complete fabrication. Mr. Hamilton was never brought before me in custody or otherwise, on the charge alluded to. You might of yourself, almost, have contradicted such an assertion, from your knowledge of the Magistrates here. I am much obliged for your communication, and remain yours, most truly, THOMAS STACK."

"Omagh, February 19, 1835."

The next case referred to in the evidence of Mr. Kernan is the case of M'Cabe *v.* Robinson; and, Sir, I shall beg leave to read a small portion of the learned Gentleman's evidence relative to it.

"7274—Can state a very remarkable case tried by Chief Justice Bushe in the county of Tyrone.

"7273—Cannot give the date precisely without referring to his notes, it was about ten, or from ten to twelve years. It was an indictment for murder.

"7275—The name of the party was M'Cabe *v.* Robinson and others.

"7276—The son of the deceased was the prosecutor, a man residing near Portadown, of the name of M'Cabe.

"7277—He was a Roman Catholic.

"7278—It was in the Lodge-room the conspiracy was hatched.

"7279—The trial was at Omagh. The first time or second time the Judge went that circuit.

"7283—After the trial, the Chief Justice sent for me. I went to him, and he said, in substance—'You are the only barrister who took a full note of this trial, do you intend to publish it?' I said, "certainly I do." He said, 'Kernan, my dear fellow, do you think its publication would pacify the country, &c.'

"7296—Four or five were tried, has destroyed or lost his notes, and cannot tell the number indicted.

"7309—Either the Chief Justice, on reference to his notes, (he cannot forget the trial) or the clerk of the Crown, or the Crown Solicitor, on reference to the Crown book, can, in a minute, state particulars."

The House will observe that this trial is said to have taken place from ten to twelve years ago, and to have been tried before Chief Justice Bushe, at Omagh, on the north-west circuit, in the county Tyrone. Now, I can take upon me to state that since that worthy Judge has had a seat on the Bench, he has never gone the north-west circuit. In the years 1810, 1811, and 1821, (the latter of which is fifteen years ago, that Gentleman went that circuit, as Solicitor-General; but I can affirm, without the fear of contradiction, that no such case as M'Cabe v. Robinson or any case resembling it, was tried before him, and what is more, that no such case appears on the Crown books of that circuit. So the conversation which the learned Counsellor states to have taken place between him and that upright and worthy Judge, in which he addresses him with the familiar expression of "my dear fellow," has no existence, save in the brain of the learned Gentleman. But as the learned witness so boldly referred to the notes of the learned Judge, I venture to say that he would have proved his discretion better had he made an application to that distinguished individual, before he gave his testimony; and I also undertake to say, that that most excellent Judge, who has for so many years exercised the judicial functions in a manner to do honour to himself and to reflect credit on the Bench, would have answered him as I now answer his statement, that it was altogether without foundation. The only further observation I shall make upon this case is, that the learned Gentleman states the accused parties to have issued from their Lodge-room near Portadown. Now, Portadown is in the county of Armagh, consequently had the transaction occurred in that county the trial would have taken place in that county and not in Tyrone.—It is said that an Act of parliament to put down all secret societies would restore peace. Why, the only society which disturbs the peace in Ireland, defies Acts of Parliament, and has evaded the researches of all Government functionaries. What knowledge have these Gentlemen obtained respecting Riband societies? I shall let the House see. Here the hon. Member referred to the evidences of Colonel Stoven, Mr. J. Gore Jones, and Mr. Duff, c. c. 6, professing their total ignorance of the existence of Riband societies, differing so very materially from the evidence of that respectable gentleman, Mr. Sinclair, of Strabane, who stated that he knew they existed to a large extent; for as the hon. Member for Middlesex has quoted the evidence of Mr. Innes, of Glasgow, upon the subject of Orange Lodges in Scotland, I must be permitted to call the attention of the House to what that Gentleman has said upon the subject of Ribbon societies, and compare it with the evidence of those gentlemen whom I have just named.

Mr. Cosmo Innes gave evidence as follows:

"2959—Cannot say that he has discovered Ribbon Lodges, but is aware of their existence.

"2960—Had information of their meetings at Glasgow to a considerable extent. In all instances there was a meeting of twenty-four delegates from different Societies of Ireland—men at one time in Glasgow, when they were addressed and stimulated by a paid emissary of the Ribbonmen who had come from Ireland.

"2963—They meet every day in a different place—they never keep to one place of meeting.

"2970—Has no doubt that an emissary was sent from Ireland to attend a Ribbon Lodge in Glasgow.

"2971—Thinks he has got hold of an emissary, but is not sure of convicting him, as the evidence was not complete when he left Glasgow."

How are we to account for the superior information of this Gentleman? Because he was discharging a duty to the laws, and keeping vigilant watch on those who threatened, whether openly or in secret, the public security. In Ireland stipendiary Magistrates occupied themselves in finding out the politics of gentlemen, and ascertaining, not whether law was enforced or endangered, but how certain persons stood affected towards the Government or the Ministry of the day. I shall read an extract from the Report of Mr. Duff, given in by himself in evidence before the Committee:—

Mr. Duff, Chief Constable of Police.—Extract from his Report to the Government:—"As a further convincing proof as to Colonel Verner's wishes to oppose and embarrass the Government, I feel it my duty to state the following circumstance, which I can have proved at any time called on, and which took place during my absence on duty from this district—namely, that on the night the intelligence reached this part of the country as to Earl Grey's resignation, he (Colonel Verner) assembled the Orangemen of his neighbourhood to celebrate the event at his own house, in front of which he had an immense large bonfire erected, the bands playing party tunes."

This constable resides in a different county—in a different district from where he states this transaction to have taken place, and with which, officially, he is unconnected; how far the statement may be correct is immaterial; the act of that gentleman is all I have to do with; to have obtained this information he must have been indebted to others—whether employed by him for the purpose, or not, it is impossible for me to say, but I would wish him a more profitable employment, and if spies are to be placed upon me, which is to me a matter of total indifference, I think it would be much better if they were persons who, while keeping watch upon me, were not neglecting matters of much greater moment. This gentleman describes himself as Chief Constable of Police and Captain of Militia. I am greatly mistaken if the members of that highly respectable and valuable body, which has rendered such services to its country, would not have preferred that the gallant captain had not given himself this title, or, having done so, that he had omitted to state the description of service in which he has been of late engaged, that of reporting secretly to the government the private acts of the gentry of the country, and the occurrences which take place within the precincts of their desmesnes—and for aught I know, within the walls of their mansion. I am now speaking my sentiments as a military man—and, in my day, it was not the description of duty which was considered exactly creditable to a gentleman bearing the rank of captain in his Majesty's service. I shall now notice what I consider a very remarkable circumstance. That the hon. Members who have been most conspicuous in their exertions to put down Orange societies, have been equally notorious for their efforts to excite agitation in the Colonies and in Ireland. The endeavours of the hon. member for Middlesex are too remarkable to be forgotten, and were of a character that it was impossible to misunderstand. That hon. Gentleman, who looked with hope to see the Canadas liberated from what he called "the baleful domination of the mother country," labours also to see Orangeism put down in the Colonies. The hon. Member for Dublin, and I may add, the Member for Kilkenny, hope to see Ireland "great, glorious, and free," and hope that that establishment, the rival one in which the hon. Member takes some interest—the establishment which is called the Bank of Ireland may give way to that which is called the Hibernian Bank, and an Irish parliament may again resume its sittings in College-green. Well, these hon. Members whose hearts are set on the Repeal of the Union—the hon. Member who so frequently declared that if the Orangemen would join him, in twelve months he should have attained his object—who assigns even now, as a reason why he for a short time abstains from urging it, that the Orangemen are opposed to his wishes—these hon. Members seek to put down Orangeism in Ireland. Plain men, who would strengthen the bonds of British connexion with Ireland, and would keep up a good understanding with the colonies; plain men, who would oppose the repealer in Ireland and the disturber in Canada, will not think it unfavourable to the Orange Society that such persons are its enemies. I know it may be said that better motives than the wish to remove an impediment out of the way of agitation, may influence some who desire to destroy the Orange Institution. They may express a hope that the country would be more contented if that institution were put down, and that it is to produce that contentment they labour for its destruction. Well, the hon. Member for Kilkenny, where there is no Orange Lodge, says that his county will become more peaceful if the Protestants of the North are insulted, and their institutions broken down. Will Kilkenny Juries be improved, or the condition of the people in Kilkenny bettered? Does the hon. Member for Tipperary affirm that the wages of assassination will rise in the county which he represents—that murders will be less frequent, and justice more surely visited on the offender? Does the hon. Member for Dublin mean to say, that any one of the counties in the province of Munster would become more tranquil, if Orangemen in Ulster were put down; or, will any of these hon. Members affirm, that any county in the south or west of Ireland, I care not which they name, any county, where, if they please, no Orange Lodge is in existence, equals in tranquillity—in absence of systematic disorder—in freedom from crime, the very worst county, or if they please to name it, the most thickly studded with Orange Lodges in Ulster. Will they submit this to the test of a strict and close inquiry? I will make, Sir, a bold statement, and a fair proposal. The province of Ulster contains nine counties, and a population of considerably more than a fourth of the people of Ireland. I affirm that over that entire province, during the thirty-five years which have elapsed since the Union with Great Britain, so many cold-blooded and atrocious crimes have not been committed as have been perpetrated within a single year, and in a single county, in the part of Ireland where Orangeism is almost unknown. Let a Jury of twelve English Members be impanelled upon the case. If I do not prove it triumphantly, I submit to be stigmatised for culpable presumption. If I prove it, if I shew that the history of one southern county for a year, a month, records more atrocities than can be charged against the Protestants of the nine counties of Ulster during the lapse of five-and-thirty years, what is to be thought of their case who so strenuously labour to break the bonds of that Union, to which, under God, the tranquillity of the north should be ascribed, There is another circumstance to be observed. I affirm that not a single statement has been contradicted or shaken advanced in defence of the Orange body. We have placed it on record, that until the formation of Orange societies, Ulster was in disorder—that from that time to this it has been tranquil. I beg in conclusion to make one more proposal, and I respectfully address it to his Majesty's Ministers.—Let them take up the county of Tipperary, where every thing will favour the experiment, and try their hands upon it—if within five years they restore it to peace, I undertake on the part of Armagh that we will receive with the utmost deference the slightest intimation of their desire and will. But if they give up Tipperary, or if they fail to raise it to that state for which we, in Armagh, have reason to be thankful, I would pray of them to leave us in Armagh in our present tranquillity—and I would add, that it is much easier to disturb a district which is confessed to be quiet, than it is to improve the condition of a disturbed one.

Colonel *Perceval* said, that circumstanced as he was—being an officer of the Orange Institution, he trusted that a British House of Commons would not refuse him a patient hearing. He begged to state that it was not his intention to address the House at any length, and if hon. Members would but attend to him, he undertook not to occupy them more than a few minutes. It had been his lot on many occasions to address the House on the subject of the Orange Institution,—and from the tone and temper in which the debate was conducted, he could not conceal from himself that the discussions on the Orange Institution were now about to come to a close. The great characteristic of the Orange Institutions of Ireland had been inalienable loyalty. In no case, under no circumstances, had any change taken place in their feelings of loyalty to the King, and attachment to the Constitution and the Protestant religion. Such had been their polar star heretofore, and now that a crisis had arrived, he entertained a confident hope that Orangemen would, one and all, manifest the same unflinching loyalty which had always been nearest and dearest to their hearts. He believed it now impossible that any Orangeman could for a moment think of averting the Address to his Majesty to discountenance all secret associations, and in that feeling he would imitate the example of his hon. Friend near him, and inculcate on those with whom he had been now four years associated, to submit to the expressed will of his Majesty, which to them was tantamount to law, and to succumb to the opinion which the House was about to express. Having said so much he could not proceed without expressing his satisfaction at the tone, the temper, and the moderation of the noble Lord (John Russell) and he hoped that those with whom he was connected would act in the same conciliatory disposition; but he trusted that the noble Lord would not weaken the moral influence in Ireland of those on whom he thus called to make a sacrifice of their feelings, by introducing the words Orange Institution into the resolution, or diminish that power by which they might hope to prevail on their less informed brethren to imitate their example. With these feelings he trusted the noble Lord would consent to withdraw the words " Orange Societies." That body formed a part of the secret societies in Ireland, and he did hope that the noble Lord would not insist on maintaining the words, the effect of which must be to stigmatize that body who were ready to conform to his Majesty's wishes. The words would convey a sting, and would tend to weaken the influence of those in whom the members of the Orange institution placed confidence. He assured the noble Lord that the influence of those individuals who took the lead in the Orange Institution, and who are now willing to act up to the spirit of the resolution, would be greatly weakened, and their power of inducing others to imitate their example would be much diminished, if they believed (and they would believe it), if they saw that they only were mentioned that the chief aim of the resolution was to put down Orange associations exclusively. He therefore called upon the noble Lord to omit those two words, and then his resolution would embrace all secret societies, without stigmatizing the Orange body, as the address in its present shape so unnecessarily did. He concurred in much of what had fallen from the noble Lord, but he differed from him in thinking that Orange associations were formed to support Protestant ascendancy, and that Ribbonmen or Defenders arose out of those associations. He remembered that in the year 1795, when he was but a small boy, the Defenders—the Ribonmen of that day—existed as a party—that they were in the habit of going about in the open day, in the county of Sligo, and attacking gentlemen's houses, and demanding arms. He remembered the attack made by a party of those Defenders on the house of his father, who was a clergyman of the Established church, and that the party would have hanged him, but for the prompt interference of the Protestants of the neighbouring village of Ballymote, in that county, who came to his aid. This was anterior to the formation of any Orange Societies. It, in fact, occurred in the year '95, whereas, the first Orange Lodge was formed in the county of Sligo, in the year 1796. The various ramifications of that Institution, in different parts of Ireland, will be found consequent upon similar outrages, thereby proving, that the Orange Institution was strictly of a defensive or protective character. The facts which he had stated, had the Committee been allowed to continue its labours, would have been proved by Colonel Irwin, a name known to and respected by every Irish gentleman who had been summoned over for that purpose. Having said thus much, he would only repeat to the noble Lord his earnest hope that he would consent to make the alteration to which he had already referred, in the wording of the resolution, in consideration of the feeling in which the spirit of that resolution was met by those who were connected with Orange societies at that (the opposition) side of the house.

Lord *Stanley* rose. Some Gentlemen, the noble Lord observed, were anxious for a division, but his earnest hope was that there might be no division on the question before the House. He was so much afraid to make use of a single expression which might disturb the harmony that pervaded the House, that he would not have arisen if he could resist the temptation to congratulate his noble Friend (Lord John Russell) on the triumph he had obtained by the mild, quiet, prudent, and statesman-like tone he had assumed on this occasion. It was a source of great satisfaction to him to observe that on a subject like that before them, which was so well calculated to excite strong feelings, and more particularly the feelings of Irish Members, there had not, with scarcely one exception, been uttered a sentiment which did not do honour to him who spoke it. He attributed this to the mild and conciliatory tone in which his noble Friend had introduced his amendment to the House. He (Lord Stanley) begged to congratulate his noble Friend and his Majesty's Government on the great triumph he had thus achieved. As an old and sincerely attached friend, he congratulated his noble Friend on it, and he also congratulated the Government on the great accession of strength it had thus acquired, and on the manner in which it had been acquired. His noble Friend had achieved this triumph not by flattering prejudices, which ought not to be flattered, but which, however one might differ from them, ought to be treated with forbearance, because they were held with sincerity. He was certain that even amongst those who were most anxious to support Orange Societies in Ireland, there were many who would be convinced that the tone of his noble Friend, though it was not that most calculated to flatter passions and prejudices, was at least that which would contribute most to the tranquillity of the country. In expressing his admiration of the prudent course taken by his noble Friend for the purpose of putting down all secret associations in Ireland, he must not withhold that meed of praise, which he was sure their most bitter enemies would concede to the gallant and manly conduct in which the conciliatory tone of his noble Friend had been met by hon. Members at that (the Opposition) side of the House. He was sure that in that way his noble Friend would acquire more strength to his Government, and would more effectually succeed in the object he had in view, than he could by the most severe penal enactments. At the same time he felt convinced that his noble Friend would do justice to the hon. and gallant Friends near him (Lord Stanley,) for their willingness thus to respond to his conciliatory tone by the sacrifice of early prejudices. His hon. and gallant Friends would excuse him for calling them prejudices, but he did so think them, though, at the same time, he firmly believed that they were most sincerely and conscientiously entertained. It was not his intention to enter into any argument on the question before the House. For his own part he was satisfied with the amendment of his noble Friend. His noble Friend had seen the advantages of a conciliatory course, and had fully availed himself of that experience. It was impossible for any one to doubt, from what had occurred with respect to Orange Associations in the last Session of Parliament, that they were most pointedly included in the spirit of the present resolution, and that that would have been the understanding with respect to them, whether they had been mentioned by name or not. His hon. and gallant Friends near him had so understood it, and had expressed themselves willing to make the required sacrifice, though the name of Orange Societies had not been mentioned. He would therefore ask his noble Friend whether he was not prepared, by way of completing his triumph, to omit those words which could not add to the moral force of his resolution, but which might have the effect of weakening the influence of those by whose co-operation that resolution might be rendered most available for its intended object [*Oh, oh.*] Gentlemen who cried "Oh," had a very different idea of a ministerial triumph from that which he had. He looked upon a triumph not as that of a party over a fallen adversary, he looked to the triumph of a Minister, who, by his mild, conciliatory, and statesman-like conduct, had achieved a national triumph over party prejudices which two years ago any man would have deemed almost impossible. That was the kind of triumph which was within his noble Friend's grasp—that was the kind of triumph which he wished to complete, and it was from that wish that he earnestly hoped his noble Friend would consent to the omission of those objectionable words. For his own part he did not object to them; but though he did not, he still felt that they were objected to by others as tending to diminish that power and influence which they were prepared to assert in carrying out the spirit of the resolution. It was important for the purpose of the resolution itself that that power should not be diminished, nor any stigma be thrown on those who were ready to exert it. He was sure his noble Friend had not meant by the use of those words to cast any imputation. He was sure the resolution was so understood by Gentlemen of that (the Opposition) side. But the same feeling would not be found to exist amongst their less informed brethren. Amongst that class, the use of those words might have the effect of marring the exertions of those hon. Members who were disposed to act up to the spirit of the resolution. Let it be recollected, that in carrying out that resolution they had to encounter the prejudices and feelings of those who would take a very different view of it from his hon. and gallant Friends, and who might not be prepared to make a similar sacrifice. It was on these grounds that he earnestly hoped his noble Friend would wave the use of even one word which might offend the feelings of even one Member of that House. If his noble Friend did, he should have the satisfaction of knowing that he had spent one night in the British Parliament which had been marked by mutual forbearance, and that that desirable result had been brought about by the kind, prudent, and conciliatory conduct of old and valued Friends of his own; and that in consequence of such conciliatory conduct, there were many hon. Members prepared to make a sacrifice of their early prejudices, in that spirit which would greatly tend to the pacification of the country.

Lord *John Russell* hoped that the House would indulge him a few moments after the appeal made to him by his noble Friend. He assured the House, that after the statement of the hon. and gallant Colonel, and of his noble Friend who had just sat down, he felt great pain in being obliged to state that he had heard nothing in the able statements of both which could induce him to alter the resolution in the way they had suggested. In saying this, he hoped he should be understood as not unwilling so to frame the resolution as to meet the wishes of the hon. and gallant Colonel, and of others who felt sensitively on this subject, if he could do so without departing from that which he considered his duty on the present occasion. It did appear to him, after what had occurred last year, that a necessity had arisen for putting an end to all secret associations, and that the House was bound to declare its opinion whether those societies were injurious or otherwise to the public tranquillity. He did not think, therefore, that the House would meet the case fairly unless it inserted in the resolution the words "Orange Lodges." It was beyond doubt that all the previous debate had referred to those societies, but, after what had occurred, and after mentioning other societies in general, it was their duty to mention these in particular; and he owned that he did not see why hon. Gentlemen should think that the use of those words implied a stigma on them; there was no opinion pronounced as to the legality of those societies—there was nothing more said than that these as well as other secret societies should receive the disapprobation of the Crown. Under these circumstances, he regretted his inability to comply with the suggestion of his noble Friend.

Sir *Robert Peel* said, that the refusal of the noble Lord to comply with the request of his noble Friend, would not alter the tone and temper of the few observations he should make. He was sure that it would be for the tranquillity of Ireland that an end should be put to all secret societies in that country. The existence of any of them was an evil, inasmuch as it held out a bad example to others. His opinion and his wish were, not only that an end should be put to all such associations, but he also wished to see the spirit in which they originated entirely and effectually suppressed. If the spirit remained, they would gain little by the suppression of its external forms. But he did regret that the noble Lord should not have given way to the suggestion of the noble Lord's Friend (Lord Stanley), for he owned that though he was prepared to assent to the noble Lord's amendment, it was not without great sacrifice of opinion. He objected to proceeding by resolution; he thought they ought to indicate the will of the Legislature by a law rather than by a resolution of one branch of it. They ought studiously to avoid a course by which a dominant majority of that House could denounce any party. They should be cautious in denouncing by a majority of that House any proceedings of any bodies, which, though they might be objectionable in many respects, might still not be against any law of the land. The resolutions of that House had no force, except such as the prerogative of the Crown might give them; they had not the force of law, and this was the first time that he had heard of establishing the precedent of a resolution of that House, disqualifying for office on the alleged ground of conduct, the legality of which was at least questionable. However, he waved all those objections, for he perceived that all in that House were prepared to address the Crown to put an end to all secret societies. Independently of his own feeling on the subject, he objected to the words which had been used that Orange Societies were illegal. The hon. Baronet who had seconded the resolution, had declared that all those societies were contrary to the law of the land, and added that the Attorney-General had nothing to do but to institute prosecutions, in order to have them so declared by the Courts of Law. Now, if that was so, it was a powerful objection to this resolution, because if they believed that the members of Orange societies ought to be prosecuted, and were amenable to the law, they ought not to send them to trial loaded with the declared opinion of that House as to their guilt. In fact, the only ground on which the resolution before the House proceeded was, that these societies were not contrary to law; the noble Lord was, therefore, right in not sending them to another tribunal, for if the issue of such a trial should be a declaration of their legality, the noble Lord would find it much more difficult to put them down on a future occasion. If, then, there was a doubt as to the illegality of those societies, that was a reason why they should not be specifically mentioned in the resolution. It was not, as he had before said, to the mere Orange lodges to which he objected, but to the spirit in which they had originated. He admitted that the words of the resolution did virtually include Orange lodges, even without naming them; and he saw no advantage which they could gain by those societies being specifically mentioned. The acquiescence of that (the Opposition) side in the resolution of the noble Lord, was not that of a reluctant minority; they had come to the House prepared to acquiesce in a resolution couched in nearly the same words as that of the noble Lord. They had not expected his Amendment; they were prepared to oppose the criminatory resolution of the hon. Member for Middlesex; but when they heard the expressed declaration of many hon. Members, that they were prepared to give up all connexion with such associations, on hearing an expression of the will of the Crown to that effect, they thought that the object of that House, and of the Government, would be sufficiently answered by the resolution which an hon. Member (Mr. Wilson Patten) had expressed his intention of moving, which was, that an humble Address be presented to his Majesty, praying that his Majesty might be graciously pleased to take such steps as to his Majesty might seem most desirable, to discountenance all secret societies, having secret signs, and excluding persons on account of difference in religious sentiments. This was the Address to which they were prepared to agree, before they knew the course which the noble Lord intended to take; and, after what had been stated by hon. Members at that (the Opposition) side of the House, he thought the most effectual mode of suppressing secret societies would be, by withdrawing words which were found offensive to those from whose example and influence they might expect co-operation in their great object. That great object was to restore tranquillity to Ireland. His hon. and gallant Friends on that side were disposed to make a great sacrifice of their opinions for that purpose. They expressed their readiness not only to withdraw themselves from those associations, but to induce all others over whom they had any influence to follow their example. It would, therefore, be prudent and politic in the House not to weaken the influence of those from whom they had reason to expect such co-operation. In conclusion, he felt bound to observe, that after what he had heard of the intention of his hon. and gallant Friends to co-operate with them in their views—after what he had heard of the sacrifices they were willing to make of their prejudices and feelings, he thought it incumbent on the House not to allow any word to remain in the resolution to wound the sensibility of any one hon. Member. If those hon. Members who objected to the wording of the resolution as proposed by the noble Lord, did not choose to press their objection, they might save the House a division; but if they did, he felt that, after the declarations they had made, he could not abandon them. He must, therefore, vote with him.

Mr. *O'Connell* came to the House strongly determined to support the principle of the resolution, but he hailed with great satisfaction the proceedings of that night. From that day party triumph ought to cease, and be buried in total oblivion; and he declared solemnly, that if he thought the words "Orange Lodges" could be construed into any thing like a party triumph, rather than a mere distinctive appellation, after the speeches of the right hon. Baronet (the Member for Tamworth), and the hon. and gallant Colonel (the Member for Sligo), he could not possibly consent to fix such a stigma upon that body. He thought the introduction of the words "Orange Lodges" was necessary for the intelligibility of the resolution, and if hon. Gentlemen opposite thought there was any other body in

Ireland a specification of which would render the resolution less invidious, he for one was ready to consent to it. But what course did the hon. Gentlemen pursue in 1829, in passing a temporary Act of Parliament making the Catholic Association perpetually illegal? It was done so as to put an end to it, and no man felt personally affected by that political exclusion. Its object was fulfilled. For his (Mr. O'Connell's) part, he sincerely hoped, from the candid and manly avowal of the gallant Member for Sligo, that the Orange Lodges would see the propriety of dissolving voluntarily, though from what fell from the gallant Colonel opposite (Colonel Verner), who seemed to say (and if he misunderstood him he should be glad to be set right), that he for one would not abandon the institution, he had no strong expectation of the fact. The gallant Member certainly possessed considerable influence with that body, and if he chose to take that part and continue the Lodges, and that any future Administration received an address from an Orange Lodge —and there were Administrations who did receive addresses from Orangemen—then the resolutions of the noble Lord would stand recorded on the books of that House condemning the Act. That was one advantage in retaining the words in the resolution. The resolution was not a triumph to any party; there could be no triumph, after what had passed that night. The Orangemen had given an honourable proof of their conciliatory spirit, and he was sure, that their genuine loyalty, of which they were so proud, would be a shield and a safeguard to protect them from any imputation. He was sure not the slightest censure could attach to them. The words were not an imputation, but merely a specification. There was no possible disgrace or disapprobation, he repeated, to be inferred from them. The former resolutions of his Friend, the Member for Middlesex, were certainly calculated to affix a stigma and a censure, and for this reason, after what had occurred that night, he would not support them. The conduct of the noble Lord was highly temperate and creditable, and deserved the approbation of the House, and if there were a division he would, undoubtedly, vote for the noble Lord's amendment.

Mr. *Randal Plunkett* having been himself personally assailed, as well as allusion having been made to a noble relative of his, thought the House ought to hear him. He would just read the extract from the paper alluded to, and then the House would see that he could not have meant to convey the idea hinted at; but he would tell the House what he must have written, and then the House could judge. He must have meant that the Orange Society was the only one comprising persons of all ranks, viz., from the rank nearest to the Throne to the poorest peasant. He should not condescend to defend himself or the Orangemen from a charge of treason. He came down to the House fully prepared with most important documents to prove the existence and character of those combinations against Protestants, which render such an union thereof, if not absolutely necessary, at least desirable; but, in the present disposition of the House, he should not even allude to them. He could only say, that whatever might be the pleasure of his most gracious Majesty, in whatever way signified by his responsible advisers, he would exert his influence, as far as it extended, in the county over which a noble relative of his, who had been alluded to, presides as lieutenant. He did not mean to blame the manner in which that allusion was made, to induce others to obey honestly, sincerely, and promptly, notwithstanding the pain he felt at the present decision. But he must press upon the noble Lord, if he expected them either to have or to exert any influence with their brother Orangemen, to withdraw the offensive expression in his Amendment. The loyalty of the Orangemen was not conditional loyalty, as they should prove, whatever it might cost them.

Mr. *Shaw* said, he rose for no other purpose, at that period of the debate, than to entreat his hon. Friends behind him, connected with the Orange society, under all the circumstances, not to divide the House. He felt for their situation, and he could not sufficiently express his admiration of the candour, the ingenuousness, and the manliness with which they had stated their willingness dutifully to submit to the pleasure of the Crown, when once it should be declared. He must, too, add his warmest and sincerest thanks to those which his hon. Friends had already received, for the great sacrifice they were prepared to make of private and personal feeling in deference to the wishes and opinions of those friends who had the good fortune to think and act with them on almost every question of public interest, and at a time when it was so important that no circumstance should divide the influence, or weaken the strength of that great constitutional party with which they were identified. He could not, however, but strongly put it to the judgment and great taste of the noble Lord, after the temperate and judicious speech the noble Lord had made, to withdraw the words "Orange lodges," to which objection had been taken by his hon. Friends, and leave the resolution general.--The noble Lord would, by that means, better promote the object he professed, of putting an end to secret associations, and allaying party spirit, without allowing the transactions of that night to wear the aspect of a party triumph—although the hon. and learned Member for Dublin (Mr. O'Connell) had altogether disclaimed that interpretation of it. He believed that the noble Lord would assent to omit the words, were he to consult his own better feelings and unbiassed judgment—but if the noble Lord still persisted in his refusal—he, notwithstanding, would implore his hon. Friends rather to suffer the objectionable words to remain, than bring the question to a division upon a point which was after all rather literal than real, when upon the substantial question they had so generously overcome their own inclinations—and when a division must tend to the embarrassment of others, whose anxious desire had been expressed, and he believed most sincerely was to act with his Hon. Friends on that occasion.

Mr. *Anthony Lefroy* rose amidst loud cries of "question," and said, that after so protracted a debate, he should rather have abstained from offering any observations, if he had not been personally alluded to by the hon. Member for Cornwall, in a speech which he must be allowed to say, appeared to him to be most intemperate, and to contain very unfounded charges against all Orange bodies; and therefore, being aware how much the silence of a sincere Orangeman on such an occasion might be misrepresented, he implored the indulgence of the House whilst he shortly addressed them, not in defence of the Orangemen of England—for if they had erred, as had been described by the hon. Member for Cornwall, it was sufficient for him (Mr. A. Lefroy) to know and repeat, what had been already declared by his hon. Friend, the secretary of the Irish Orangemen, that they formed no part of the system with which he was connected, and that the body to which he belonged were strictly of a defensive character—and bound together by the strictest ties of loyalty and christian feeling. His object now was to express the satisfaction he felt in the conciliatory, but firm tone of his hon Friend, the Member for Cavan; and he agreed also with him, and the noble Lord, the Member for Lancashire, in thinking, that the Secretary for the Home Department had proposed the Address in mild and gratifying terms, particularly as he had, in reply to the wish expressed by his hon. Friends, declared that he had not intended to cast any censure upon the Orange body by the insertion of their name, but that it was done in accordance with the proceedings of the House; at the same time he could not express any approbation of the motives that influenced the noble Lord in proposing these resolutions; he believed that he was urged beyond his own sense of justice and fairness, by a secret and dangerous power; and he was the more convinced of this by the fact of the noble Lord still persevering in resisting the powerful appeals of the noble Lord, the Member for Lancashire, and the right hon. Baronet, the Member for Tamworth. Under such circumstances, if he were to consult his own feelings, he would not consent to the resolution; but as it appeared to his hon. Friends that more good would be effected by abstaining from a division, he would rather endure even the insult put upon him as an Orangeman, by such a majority of this House, than intercept the accomplishment of any real benefit; and from what he knew of Orangemen and their feelings, he hoped, nay, he ventured to declare, that if the House passed the resolution, and the King recommended the Orange Institution to dissolve, the Orangemen would sincerely and immediately acquiesce in the recommendation, and not adopt the example of those who had boasted they would drive a carriage through an Act of Parliament.

Mr. *Hume* said, though he liked his own resolutions best, he would withdraw them for the resolution of the noble Lord.

Mr. *Edward J. Cooper* said, he had the honour of possessing the confidence generally of the county of Sligo, not only amongst Orangemen and Protestants, but Roman Catholics also; and he was of opinion, that if the words were allowed to remain, the mass of Orangemen in that county would think it a stain and a stigma, and that a party triumph was achieved. And though he should go the full length of recommending the Orangemen of Sligo, who had placed him at their head, to conform to the express wish of his Majesty, he yet could not conceal from himself or the House, that the means of accomplishing this end would be considerably weakened, if the words objected to were allowed to remain in the resolution.

Colonel *Verner* said, he should move that the words be left out, and that it was his intention to take the opinion of the House upon the question.

Colonel Verner's amendment was negatived without a division, and Lord John Russell's resolution was agreed to.

HOUSE OF LORDS,

Thursday, February 25, 1836.

MINUTES.] Bills. Read a first time:—Dean Forest; Transfer of Aids; and Exchequer Bills.

Petitions presented. By Lord WYNFORD, from Owners and Occupiers of Land at Wallingford, Berkshire, for Relief.—By Lord DENMAN, from Rugby, in favour of the Ecclesiastical Courts' Consolidating Bill.—By the Marquess of LONDONDERRY, from Wells, Somersetshire; from Bridgend, Cambridge, and other Places, against the Probate Clause in the Ecclesiastical Courts' Consolidating Bill.—By the Bishop of EXETER, from Peterborough and another Place, to the same effect.

ORANGE ASSOCIATION.] The Marquess of *Londonderry* said, he took that opportunity to state to their Lordships that it was his intention on this day week to move, "that a message be sent to the House of Commons, requesting that a Copy of the Commons' Report upon Orange Societies be communicated to their Lordships." He would have selected an earlier day, but the subject which he was about to bring before the House, in consequence of extraordinary insinuations, and extraordinary party observations, that had been made on certain letters of his in another place, might lead to some discussion with respect to Orange societies in general; and he was therefore unwilling to introduce the question in the absence of a noble Earl, who, he hoped, would be in his place when the discussion came on. In justice to himself, he could not allow one single hour to pass, without stating his intention to bring under the notice of their Lordships the mode and manner—he might say the scandalous manner—in which, for party and political purposes, attacks had been made on individuals who, perhaps, least of any others, should have been dragged before the public, as being connected with any Orange society or institution. It was extraordinary that he should have been thus alluded to—he who had always given his strongest support to Catholic emancipation. But that circumstance showed to what extent party-men would go, when they thus dragged individuals before the public, for the purpose of insinuating that a change had taken place in their minds on that important question. He stood merely in this situation—that he had received letters from an individual whom he did not know, and to whom he had not written, in the first instance, while he was in the north of England, which letters might have been written to any noble Lord on that or on the other side of the House; and then his complimentary answer was worked up by the public press, and by the parties to whom he had alluded, into a sort of charge, as if he had been, at any time in the course of his life, connected with Orange societies, or had attended their meetings. He could not, without the utmost indignation, think of any change in the succession to the Crown, as was said to be mentioned in some of the correspondence that had been referred to. If any thing of the kind had been brought under his consideration, he should have spurned it with all the indignation that it merited. He felt so warmly on this subject, that he would certainly bring down the whole of those letters, and read them *verbatim* to their Lordships. He would then answer the calumnies that had been levelled at him; and he would show to that House, and to the public, that so far as he was concerned, that he never had any communication, good, bad, or indifferent, with the Orange Association. The mode in which this subject was brought forward by an individual in another place, had the effect of insinuating base calumnies against those who did not merit them; and when the noble Viscount (Melbourne) talked of base and slanderous insinuations, it would be well if he would think how unjustly parties were dragged before the public by those who supported the noble Viscount's political views. He would take the opportunity, when he brought forward his Motion, to enter at large on the question of those base insinuations to which the noble Viscount had alluded on a former evening, and he trusted that the noble Viscount would give some explanation on the subject. He had pronounced a speech on the occasion to which the noble Viscount had alluded, but as the noble Viscount had not referred to it the other evening, he had not deemed it necessary to make any observation on what had fallen from him. It was not his intention to do so now; but when the proper occasion arrived, he should certainly state his opinion. The advice which he gave to the body of people whom he had addressed on the occasion to which reference had been made, he was ready to abide by. When he found persons in another place carrying to the utmost extent their calumnies and insinuations against noble Lords who sat on that (the Opposition) side of the House, he thought it was high time for them to stand forward and meet those calumnies and insinuations with the most distinct, direct, and positive denials. They, unfortunately, lived in times when the innocent, yes, even the most innocent, were, in consequence of the base statements that were fabricated against them, falsely supposed to be guilty. Their Lordships ought not to suffer those insinuations against public men to go abroad uncontradicted. They must be met in a manly and straightforward manner. Injurious allegations were hourly made, in an underhand manner, against those who cherished the feelings of loyalty, and who were anxious to stand by the institutions of this great country. Such allegations ought to be repelled; and, that noble Lords might have an opportunity of stating their opinions, he should on Thursday next move for a Copy of the Commons' Report on Orange Societies.

Lord *Wynford* was happy that the noble Marquess had given notice of his intention to bring this subject before their Lordships. If the noble Marquess had not done so, he should have felt it to be his duty to take that step. It was not his intention to make any observations on the subject at present, but when the Motion was introduced, he would claim the indulgence of their Lordships while he stated his opinions. When the proper time arrived, he would show that those insinuations, so far as they respected himself, were perfectly and absolutely false and unfounded.

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HOUSE OF COMMONS,

Thursday, February 25, 1836.

Minutes.] Petitions presented. By Mr. E. B. Clive, from Spirit Dealers of Hereford, for a Reduction of the Spirit License Duties.

Aberdeen Public Schools.] Mr. *Bannerman* moved the second reading of the Aberdeen Public Schools Bill.

Captain *Gordon* felt it his duty to oppose this Bill, which went to divert to a totally different purpose funds that had been left for a specific object. The fund in question had been left by Sir A. Hay, in the middle of the 17th century, for the maintenance and repairing of the bridge over the Don at Aberdeen; and the testator adjured those to whom the trust was confided, namely, the town-council and magistrates of Aberdeen, to fulfil it faithfully and for ever, as they would answer for it at the day of judgment. The late much-calumniated Magistrates of Aberdeen had faithfully adhered to the terms of the trust and the intentions of the donor, but it was now proposed by the new town-council to take 6,000*l.* out of the accumulated fund of this trust, and apply it to the erection of schools in Aberdeen.

Mr. *Bannerman:* I am glad that the Member for the county of Aberdeen has chosen to oppose this Bill on its second reading, because if the House shall agree with him in thinking that its principle is unjust, and that it forms a dangerous precedent, it will of course be thrown out at this stage, which will save its promoters, the Magistrates and citizens of Aberdeen, whom I have the honour to represent, a great deal of unnecessary trouble and expense in a Committee up stairs. It becomes necessary for me, therefore, shortly to explain to the House the nature of this Bill. It is entitled a Bill for the erection of Public Schools in the city of Aberdeen; and to enable the corporation to erect such schools, they apply to Parliament to sanction the appropriation of 6,000*l.* or 7,000*l.*, being the amount of an accumulated fund under their management, and I may add, in my opinion, which is under their complete control. My hon. Friend has stated the nature of that fund; the House will hear both sides; I will also state the nature of it. In the year 1605 a gentleman named Sir Alexander Hay bequeathed certain specific feu duties or annual rents amounting to 2*l.* 5*s.* 8*d.* sterling, for repairing and upholding a bridge over the river Don, within a mile and a-half of the city of Aberdeen, which had been built by King Robert Bruce. This bridge, which has stood the lapse of centuries, is now in a complete state of repair, and in all probability will stand for many centuries to come. It is the same "Bridge of Balgony" which is noticed by Lord Byron in a note to one of his celebrated effusions; and, singular enough, one of the schools which is proposed to be rebuilt at Aberdeen by this Bill, is that in which the noble bard received the elements of his early education. This bridge having been built during the reign of Robert Bruce, the House may suppose that it is a pretty solid structure; indeed, although the citizens of Aberdeen contributed largely for upholding it more than two centuries ago, very little has since been required to keep it in repair. That circumstance, as well as other fortuitous ones, and fortunate purchases by the corporation of Aberdeen, with the funds under their management, will account for the accumulation, which ten years ago amounted to 18,000*l.* Before I state to the House how the greater part of that surplus was appropriated by Parliament, I ought also to state to the House what my hon. Friend opposite has not forgotten to dwell on, that the deed to which I have alluded provides that the Magistrates of Aberdeen shall apply "the rents and feu duties for the repair and maintenance of the said bridge, and for no other purpose, as they should answer to God at the last judgment." Well, Sir, notwithstanding this solemn adjuration, let us see how the former calumniated Magistrates of Aberdeen, as my hon. Friend calls them, dealt with this fund: none of your reformed town-councils, but good old Conservative, self-elected citizens. I find, Sir, among other items, the following:

1791.	Building bridges at Ellon and Yttan, sixteen miles distant from Aberdeen	£52	10	0
	Repairing roads	100	0	0
1793.	A superb gold snuff-box to Mr. Secretary Dundas	105	0	0
1797.	Engraving plans	53	0	0
1798.	Voted aid to Government	157	10	0
1799.	Improving roads	200	0	0
	Copy plan of a new Bridewell at Glasgow	50	0	0
1802.	Act of Parliament for a House of Correction	100	0	0
1805.	Law plea about roads	68	0	0
	Patriotic fund at Lloyd's	52	0	0

Besides these sums, a considerable sum from this fund was annually expended in eating and drinking, and 360*l.* was expended for obtaining a new warrant to elect Magistrates, and to oppose the citizens when they applied to the Crown for a popular election, when the city was disfranchised, in the year 1818. It may be asked, were their appropriations proper and right? I answer, no. But, Sir, it is to such appropriations I object. Let Parliament look after this fund, and see that it is appropriated to useful and beneficial purposes. But, notwithstanding these unauthorised appropriations, which took place under the reign of my hon. Friend's "much calumniated Magistrates," the fund accumulated, in 1825, to 18,000*l.* sterling; and how was it applied? I will tell the House. The access to the old bridge is circuitous and steep, and the country gentlemen, some of whom are now opposing this Bill, finding it very convenient to have a more direct road, prevailed on the magistrates to build a new bridge. After much discussion the Magistrates applied to Parliament, and I hold in my hand a Bill authorising the appropriation of 14,000*l.* for building this new bridge, on which 17,000*l.*, I believe, was expended; and I ask the House whether that Bill infringed on the principle for which my hon. Friend contends? I ask, whether building a new bridge be the same as maintaining and upholding an old one distant a quarter of a mile from each other? It will be said, that the Bill also provided for maintaining and upholding the said bridge. Assuredly it did, and Parliament will take care that the Bill which I now submit to the House shall not pass without a similar provision, which it expressly contains. I recollect, Sir, that the Bill to which I have alluded, was opposed in this House, not on its principle, but because it was thought by the salmon fishery proprietors that it would injure the fishery by being placed in a shallow part of the river, the old bridge being erected over a part which is four or five fathoms deep. Having failed to convince a Committee of this House the opposition was continued in the Peers, and the "solemn adjuration" was then alluded to in a Committee of that House, of which a right rev. Prelate formed one of a quorum. Particular emphasis was laid by the learned Counsel who opposed the Bill, on the solemn adjuration of Sir Alexander Hay. I was not in Parliament, but happened accidentally to be present, and what remark did the rev. Prelate make? "Why," said he "if a new and more commodious bridge is is to be built, provided there are ample funds to maintain and uphold the old one, I think the ghost of the testator may be appeased; for I can see no harm, if the funds were forthcoming, to build a church at the end of the bridge." Sir, I dare say the right rev. Prelate had just as much abhorrence to the invasion of trusts as these country gentlemen, who have sent in such violent resolutions against this Bill. I shall not detain the House longer. I do hope it will agree to the second reading of this Bill, the promoters of which are the Magistrates of Aberdeen, who come boldly forward to Parliament to sanction the expenditure of a few thousand pounds, which can be applied to no purpose so useful as that of promoting education in a very large and populous city. The opposers of the Bill are some of the gentlemen in the adjacent county; and should the House agree with them that this Bill is unjust in principle, and most dangerous as a precedent, I do hope and trust that the collective wisdom of this nation will lay down some rules for the future guidance of the Magistrates of Aberdeen as to the appropriation of this fund; whether it is to be thrown into the sea or the river Don, whether it is to be consumed by eating and drinking, or whether Parliament thinks it is a more legitimate object to present gold snuff-boxes to his Majesty's Ministers than to educate his Majesty's subjects, or to make approaches for the convenience of some of the gentlemen of the county of Aberdeen? I shall not detain the House longer. I hope it will deal with the question not as a party one; for I fear it is looked on by some individuals in the north in that light. I came here with no such feelings, and whatever the decision of the House may be, the promoters of the Bill, I am sure, will bow to that decision.

Mr. *Pringle* opposed the Bill, on the ground that it went to effect an entire diversion of the funds from the purposes to which the donor intended them to be applied.

Mr. *William Campbell* differed *toto cœlo* from his hon. Friend. He trusted that the House would give its sanction to this Bill, which went to apply a portion of this surplus to the providing education for the people of Scotland. The Tories did not scruple to apply those funds to the providing gold snuff-boxes for Lords of the Admiralty, and good dinners for themselves, but they were shocked at a proposal for applying a portion of them to the education of the people.

Sir *George Clerk* thought they had no right to appropriate those funds to a purpose totally different from that intended by the donor.

Mr. *Wallace* said, they had heard no complaint of the misappropriation of those funds when spent formerly in eating and drinking, but a cry was raised now against expending any portion of them in educating the people. He thought they could not be better applied.

Mr. *Hume* said, that having sat for twelve years as Member for Aberdeen, though he never got a vote from the old town during that time, he felt naturally anxious that the House would pass an Act like the present, calculated to promote the interests of the people there.

Mr. *S. Mackenzie* supported the Bill.

Lord *Sandon* said, that the general practice in cases of this kind was to refer the appropriation of the accumulated surplus to the decision of the Court of Chancery.

Mr. *Bannerman* observed, they had no Court of Chancery in Scotland.

Lord *Sandon* said, they had surely a Court possessed of analogous powers there, and it was to such a tribunal, and not to that House, the appropriation of this money should be referred.

The House divided on the Question of the second reading: Ayes 118; Noes 72; Majority 46.

List of the Ayes.

Acheson, Lord
Aglionby, H. A.
Ainsworth, P.
Bagshaw, J.
Baines, E.
Baldwin, Dr.
Barnard, E. G.
Bellew, R. M.
Bellew, Sir P.
Benett, J.
Blackburne, J.
Bowes, J.
Bridgeman, H.
Brotherton, J.
Brownrigg, J. S.
Buckingham, J. S.
Butler, Col.
Byng, G. S.
Callaghan, D.
Chalmers, P.
Childers,—
Clay, W.
Clive, E. B.
Crawford, W. S.
Crawford, W.
Dillwyn, L. W.
Divett, E.
Duncombe, T.
Dundas, J. D.
Ferguson, Sir R.
Ferguson, R.
Fergusson, C.
Finn, W. F.
Fitzsimon, C.
Folkes, Sir W.
Gaskell, D.
Gillon, W. D.
Gisborne, T.
Goring, H. D.
Greene, T. G.
Grey, Sir G.
Grey, C.
Guest, J. J.
Harland, W. C.
Hay, Sir A. L.
Hector, C.
Hindley, C.
Hodges, T. L.
Hodges, T.
Holland, E.
Hume, J.
Jervis, J.
Langton, Col. G.
Leader, J. T.
Lennox, Lord G.
Lynch, H. A.

Mackenzie, J. S.
Macleod, R.
Macnamara, Major
Mangles, J.
Marjoribanks, S.
Marsland, H.
Maule, Hon. F.
Morrison, J.
Murray, J. A.
Musgrave, Sir R.
North, F.
O'Connell, D.
O'Connell, J.
O'Connell, M.
O'Connell, M. J.
O'Connell, M.
O'Conor, Don.
Oliphant, L.
O'Loghlen, Sergeant
Oswald, J.
Parker, J.
Parnell, Sir H.
Parrott, J.
Pendarves, E.
Philips, M.
Potter, R.
Poulter, J. S.
Price, Sir R.
Pryme, G.
Robinson, G. R.
Roche, D.
Roebuck, J. A.
Ruthven, E.
Ruthven, E. S.
Sanford, E. A.
Scholefield, J.
Scott, J. W.
Sharpe, M.
Sheil, R. L.
Sheldon, E. R. C.
Stanley, E.
Steuart, R.
Stewart, P.
Strickland, Sir G.
Stuart, Lord D.
Tancred, H. W.
Thompson, T. P.
Thornely, T.
Townely, R. G.
Trelawney, Sir W.
Tynte, C. J. K.
Wakley, T.
Walker, C. A.
Walker, R.
Wallace, R.
Wason, R.
Whalley, Sir S.
White, S.
Wilks, J.
Wilmot, Sir J.
Winnington, Sir T.
Winnington, H.
Wrottesley, Sir J.

TELLERS.

Bannerman, A.
Campbell, W.

List of the NOES.

Alsager, Captain
Arbuthnot, Hon. H.
Bainbridge, E.
Balfour, T.
Barclay, C.
Bateson, Sir R.
Beckett, Sir J.
Bell, M.
Bethell, R.
Blackstone, W. S.
Bonham, F. R.
Borthwick, P.
Bruce, C.
Brudenell, Lord
Buller, Sir J. Y.
Campbell, Sir H. P. B.
Castlereagh, Visc.
Chandos, Marq. of
Chisholm, A.
Compton, H. C.
Conolly, Colonel
Corry, Rt. Hon. H.
Duffield, T.
Eastnor, Viscount
Egerton, Lord F.
Elley, Sir J.
Entwisle, J.
Fector, J. M.
Ferguson, G.
Forbes, W.
Forrester, Hon. C. W.
Freshfield, J. W.
Gladstone, T.
Gordon, W.
Goulburn, Rt. Hon. H.
Gresley, Sir R.
Grimston, Viscount
Halse, J.
Hamilton, Lord C.
Hanmer, Sir J.
Hardy, J.
Henniker, Lord
Ingham, R.
Johnstone, J. J. H.
Jones, T.
Irton, S.
Kearsley, H. J.
Knatchbull, Sir E.
Lister, E. C.
Longfield, J.
Lygon, Hon. Col. H. B.
Mackinnon, T.
Marsland, T.
Miles, W.
Parker, M. E. N.
Peel, W. (Tamworth.)
Plumptre, John P.
Pollington, Visc.
Powell, Colonel W.
Price, Richard
Pusey, P.
Rae, Sir W.
Ross, C.
Sandon, Viscount
Smyth, Sir G.
Somerset, Lord G.
Stanley, Edward
Trevor, Hon. Arthur.
Trevor, Hon. R.
Wilbraham, R. B.
Wortley, Hon. J.
Wyndham, Wadham

TELLERS.

Clerk, Sir G.
Pringle, A.

ORANGE LODGES—ANSWER TO THE ADDRESS.] Lord *John Russell* appeared at the Bar, and acquainted the House that his Majesty having been waited upon with the Address of that House, was pleased to return the following most gracious answer:—"William Rex.—I willingly assent to the prayer of the Address of my faithful Commons, that I will be pleased to take such measures as may seem to me advisable for the effectual discouragement of Orange Lodges, and generally of all political societies, excluding persons of a different religious faith, using secret signs and symbols, and acting by means of associated branches. It is my firm intention to discourage all such societies in my dominions, and I rely with confidence on the fidelity of my loyal subjects to support me in this determination."

To be entered on the Journals and printed.

DUTY ON PAPER.] Lord *Francis Egerton* rose to present a petition, signed by seventy of the largest paper-manufacturers in the kingdoms, some of them his own constituents, and paying, he believed, more than half the whole amount of revenue flowing into the Exchequer under that head. They were anxious that the case they had to present to the House should be considered at the present moment, thinking, as he presumed correctly, this was the period when the attention of the right hon. Gentleman the Chancellor of the Exchequer should naturally and peculiarly be directed to the financial arrangements of the year. They had reason, in common, he believed and hoped, with the public at large, to suppose that the revenues of the country offered some prospect of enabling the right hon. Gentleman to effect a reduction in imposts to some considerable amount, and they wished to show to the House the reasons they had for supposing that their case yielded perhaps to none in urgency, and possessed claims on the attention of Government which could, whether in justice or expediency, be postponed to no other. The petition contained three principal grounds of complaint;—first, it complained that the amount of duty imposed on this manufacture was exorbitant; secondly, that the mode in which it was imposed was peculiarly oppressive to the manufacturer, encouraged fraud, led to the depression of the fair trader, and the defalcation of the Exchequer; further (and this was a circumstance which he was sure would meet the full and favourable consideration of the House), the petition complained that the tax was in its nature opposed to the extension of literature and the general diffusion of knowledge. With regard to the exorbitancy of the impost, it was sufficient to say, that contrary to the original intention of the Legislature, which in the reign of Anne, first enacted duties on the manufacture of paper, the *ad valorem* amount of the duty pressed most heavily on the inferior articles of the first class paper. Now, the notion he had naturally entertained of the first class paper was, that it described the superior quality used for the nobler purposes of writing and publication; but not so,—in the first class was included every description of paper, other than brown paper, made of one particular material, tar rope, from which the tar had not been extracted; and the second class was confined to that made exclusively of old ropes or cordage. The object of the Legislature in the classification was to simplify them, but the mode which they adopted for that purpose had since turned out to be impracticable and absurd. The circumstances connected with the manufacture of paper and the manner of its manufacture have greatly changed since the Act first passed. That which was once a cheap and abundant material for making the second-class paper—he meant old rope, from which alone the law allowed that class to be manufactured—was now scarce and expensive, having more than doubled in price in a few years. This was owing to two causes—partly to the comparatively small wear and tear of rope in time of peace, and partly to the great extent to which iron cable was now used instead of rope. It was well known that other materials were introduced into the manufacture, which, though they made paper equally good, made it at a much lower price, in consequence of the cheap rate at which those materials could be purchased. It was well known to all who were connected with our cotton manufactures, that in every factory there was a vast quantity of waste or "refuse" cotton, of which hitherto no other use had been made than that of wiping up the oil which happened to drop on the floors on rubbing it from the machinery. The amount thus rendered almost valueless was about 1-12th of the whole of the cotton used. Some time back a gentleman applied this refuse to more useful purposes, and it was found to be available as a material in the manufacture of this second class paper, thus adding to the temptation to fraud on the part of the manufacturer, and occasioning a considerable loss to the revenue. It had been long notorious that the Act of Parliament which was intended to regulate the manufacture was constantly evaded by the use of articles other than those which that Act prescribed. It was well known that among the manufacturers in Scotland scarcely any tarred rope whatever was used in the manufacture of second-class paper. In Ireland, there was another article which might be used with good effect in the manufacture of paper—he meant the refuse of flax, which, if the Act were modified, might be brought into immediate use. Many hon. Members were not perhaps aware, that though the materials with which second-class paper was directed to be made were as dear, and in some instances dearer than those from which the first-class paper was produced, the duty on the latter was 3*d.* in the pound, while that on the former was only 1½*d.* He would beg to refer hon. Members opposite to the 14th report of the Commission of Excise Inquiry, at the head of which was the name of a Gentleman for whom all who knew him must have the highest respect, and whose name was a high authority for the correctness of the statements to which it was attached—he meant Sir Henry Parnell. If hon. Members would refer to that report, they would find that every page of it bore testimony to the frauds which were committed on the revenue in the manufacture of paper. These frauds were not unknown to the revenue; yet, though they were altogether ruinous to the fair trader, the Government had not yet done anything to remedy the evil. The gentlemen who had intrusted him with the charge of this petition had urged him to press the subject on the immediate consideration of Government, with a view to an immediate revision of the Acts under which the manufacture of paper was carried on. To show how injuriously the present state of the law operated to the fair trader and to the public, he would mention one case which was mentioned in the 14th Report to which he had already referred. A Mr. Phipps had entered into an agreement with the Navy Board to supply a certain quantity of sheathing paper, for which the duty was 21*s.* per cwt.; but another party came and made an offer to supply the quantity at 2*s.* per cwt. less than that which Mr. Phipps had mentioned. It was stated to the Navy Board, that the party who had made the smaller offer manufactured his from inferior articles, and paid only 14*s.* per cwt., while Mr. Phipps paid the full duty of 21*s.* per cwt. It was added, that the lower tender could have been made only by an evasion of the Act; but the Navy Board said, that they must take the article they wanted where they could get it cheapest, and in consequence Mr. Phipps, the fair trader, went to the wall. Another point of view in which he was anxious to present this subject to the consideration of the House, and which was sufficient to arrest its best attention, was the effect which the state of the law produced on literature. On this subject, they had the evidence of several gentlemen very extensively engaged in printing cheap literary works, such as Mr. Parker, Mr. Rees, and Mr. Knight. The last named individual, whose exertions had done much to diffuse useful knowledge in the country said in his evidence that the present laws relating to the duties on paper pressed hard on the class of cheap publications, that the duty varied from 1*s.* to 2*s.* 8*d.* on the octavo volume, and that, in fact, there was no profit on those cheap works, unless there was a sale of from 40,000 to 50,000; but if the duties were modified and equalised, the same work would produce a considerable profit with a much more reduced circulation. But there was a hardship upon printers and publishers in respect of this excise duty which did not press on other classes of the community who were subject to the excise. While others were allowed to pay the excise on the article as they wanted it for consumption—that was, for sale—the printer or publisher was in the first instance, obliged to pay the whole duty; and if he sold only a very small portion of the work, the loss of the duty on the remainder must be his. This pressed with great severity on publishers, and was a serious check on the diffusion of works of information and entertainment amongst the people. Another point to which he would beg the attention of the Chancellor of the Exchequer, was the duty on stained paper. The addition of 1*s.* per pound, in addition to the 3*d.* already imposed, was, he was sure, no increase to the revenue. He would not say what means the right hon. Gentleman had to gratify the prayer of the petitioners for the reduction of the duty, for, whatever side of the house he might sit at, he was not disposed to embarrass any Government by calling for any reduction of revenue which the country might not be able to afford; but he joined the petitioners in expressing a hope and belief that the reduction for which they prayed would not prove in the result a diminution to the revenue. Various cases could be mentioned in which the reduction of the duty produced an increase of revenue by the increased demand for the article. The most simple and effectual remedy would be, to equalise the duty by removing the higher. The petitioners, he thought, had peculiar claims on the attention of Parliament. Some of the most ingenious inventions in machinery had been made by some of them, and applied to the manufacture of paper. Their prayer was a most reasonable one. They prayed the House "to take immediate steps for relieving them from this state of things, so deeply injurious to their interest, and also, in a great degree, affecting the workmen in their employ, and those in many branches of business connected with their manufacture, and they have no doubt that the result of the reduction recommended, will, as the Commissioners of Excise Inquiry anticipate, nearly double the employment of productive industry in this manufacture, and others dependent upon it, thereby preventing any permanent diminution of the revenue." In conclusion, the noble Lord earnestly entreated the serious attention of the House to the prayer of the petition.

The *Chancellor of the Exchequer* said, that he did not rise to offer any objection whatever to the case which the noble Lord had so ably stated on behalf of the paper manufacturers. His noble Friend had omitted nothing which could excite the attention of the House and the Government to it. The fact was, that the subject was at the present moment under the consideration of Government, and if he omitted to enter into the discussion of the question at the present moment, it was not because he did not attach importance to it, but because he thought that nothing could be more injudicious than the premature disclosure of the intentions of Government with respect to the fiscal regulations which were to affect any branch of our manufactures. He trusted the House would rest satisfied with the assurance that the subject was now under consideration. At the commencement of the financial year, which would be early in April, when he had to bring forward the general statement as to the finances of the country, he should be enabled to state to the House the course which the Government would follow on the subject to which the petition referred, as well as other matters connected with the revenue of the country. The Government had been called upon to consider the claims of various classes of the community with respect to exemption from, or a modification of certain taxes, and when the proper time to which he had referred came, he should be prepared to state the course intended to be pursued. It would be the care of Government to apply any surplus revenue which might be disposable to those reductions which were most likely to be beneficial to the country. He hoped his noble Friend would not think he undervalued this subject if he refrained from going into it at present.

Mr. *Greene* thought, that whether they looked at the ordinary duty of *3d.* in the pound on the additional duty for stained paper, the tax as at present imposed was most objectionable. In its moral effect on literature it might be called a tax on the raw materials of knowledge.

Petition to lie on the Table.

Timber Trade.] Mr. *G. F. Young* wished to put a question to the right hon. Gentleman, the President of the Board of Trade. A question had been put to a noble Lord (the Marquess of Lansdowne) in another place on the subject of the intentions of Government with respect to the Timber Trade. It was understood from the answer, as it was published, that it was not the intention of the Government to introduce any measure on the subject of the Trade in the present Session. He wished to hear from the right hon. Gentleman how the fact was.

Mr. *Poulett Thomson* had understood that the hon. Member had given notice of this question for to-morrow, but he was prepared to answer it now. The fact was, there was a misapprehension of what had been stated by his noble Friend in another place; what his noble Friend said was, that there was no intention to alter the timber duties at present, but he did not mean to convey that no measure would be introduced on the subject in the present Session. Any measure to be introduced this year would be operative only in the year 1837, so that it would not be necessary to bring forward the subject early in the Session; but it was intended to adopt the recommendation of the Committee of last year, and to introduce a bill on the subject in the course of the Session. He regretted that the hon. Member had not deferred his question till to-morrow, as probably the hon. Alderman, the Member for Sunderland (Mr. Alderman Thompson), would be then in his place, and if he were, it was his intention to put a question to the hon. Alderman, whether a report of a speech said to have been delivered by him at a meeting of the shipowners was correct or not. In that report the hon. Alderman was made to say, that it was the intention of Government to postpone any measure on the subject of the timber duties, in order that those interested and opposed to their views might be absent, and that Ministers might be thus enabled surreptitiously to carry their own measure. He would have asked the hon. Member for Sunderland, if the report were correct, on what authority he had made the statement, which, he must say, was utterly unfounded in fact, and than which nothing could be more contrary to the practice of the Government.

Subject dropped.

Public Works, Ireland.—Shannon Navigation.] The *Chancellor of the Exchequer* wished to call the attention of the House to the report of the Commissioners of the Shannon, and the recommendations which they had made, pursuant to the order of last Session, for the guidance of the Government in the measures about to be laid before Parliament for facilitating loans for the purpose of aiding both public and private works in that country. He did not go the length of agreeing in the whole of their suggestions, but the Bill which he had since prepared, and hoped to be able to lay before the House in a few days, embodied the most valuable and practical of their propositions. These he would willingly carry into effect, without respecting the appropriation of the monies, and would (under the sanction of such arrangements as he soon expected to see carried into effect) have no hesitation in asking the confidence of the House to enable him to issue Exchequer bills in aid of the public works of Ireland. When he received Colonel Burgoyne's communications, which were yet required to complete the requisite information, he should bring in his Bill, which he should wish his hon.

Friends to circulate in Ireland amongst their constituents, to obtain their opinions before the House was called on for its decision. He should at present content himself with placing on the Table the report of the Commissioners of the Shannon Navigation.

Mr. *Lynch* rose to bear testimony to the great benefits which had resulted, and continued to result, from the operation of the Act of 1831, referred to by the Chancellor of the Exchequer. For that Act the people of Ireland were largely indebted to him, and he (Mr. Lynch) was glad to find that his right hon. Friend was determined to follow up and pursue the plan for the promotion of public works in Ireland so wisely adopted by the House at his recommendation, and that of the noble Lord, then Secretary for Ireland. If he (Mr. Lynch) was not previously convinced of the absolute necessity of a wide and extensive measure of this description, the evidence which was given before the Committee of last year would have produced that conviction. The great want of Ireland was the want of employment for the people—the great misfortune of that country was the low price of labour. Notwithstanding the suppression of religious discord, an event which he trusted was now about to be accomplished, Ireland could never be tranquil or happy until the situation of the peasant and the labouring man was improved. This could only be done by education, and increasing the demand for his labour. Do that, and the revenue of the country would be increased. Do so, and the demand for English manufacture will also be increased. Do that, and the expense for police and the army might be diminished. Do that, and the misery of the poor man would be lessened, and comparative comforts and luxuries given to him. The greatest misery prevailed where there was the least employment, and where the lands were left uncultivated. The county of Mayo was a striking example. In Mayo there was the greatest misery and want—in Mayo there was the least demand for the labour of the poor man—in Mayo there was scarce a year passed without famine and great distress—in Mayo there was more uncultivated than cultivated land. By affording employment at home for the people they would lessen the emigration to this country, so much complained of. Mr. Griffiths, in his evidence before the Committee, stated that he stopped 500 labourers coming over to this country by affording them employment at home; and, having mentioned the name of Mr. Griffiths, he could not avoid alluding to his great efficiency as a public officer, and his great zeal for the improvement of Ireland. The country offered every capability, and the Government and Parliament should, in his opinion, give every facility for improvement and the more extensive employment of the people; and this would be effected by the promotion of public works, and without any cost to the country; for, he was happy to say, that it appeared by the evidence before the Committee, that there was no apprehension of any loss from the loans made under the Act of 1831, and that all the instalments in respect of such loans, and the interest, had been regularly and punctually paid. The Act of 1831, beneficially and usefully as it had operated, was, in many respects, too light, and ought to be relaxed. He did not find fault with his right hon. Friend, for having so commenced, but now that the Act had been found to work well, and that no loss had accrued, or was likely to accrue, and as the Act had been found in many respects too severe, he was rejoiced to hear from the Chancellor of the Exchequer that he intended to alter and amend the provisions of the Act. As his right hon. Friend did not state the alterations which he intended to propose, in particular, although he stated he was prepared to adopt many, if not most of the suggestions of the Committee, he (Mr. Lynch) was unwilling at that moment to go minutely into such suggestions, he would, therefore, confine himself to one or two observations. And first, in respect of the interest charged on the loans, it appeared to him most extravagant, that whilst Government could borrow money at a rate not exceeding two and a-half or three per cent., they should charge individuals borrowing from them, five per cent., and public bodies four per cent. Such dealings appeared to him in some degree to partake of usury, for the Government were not only receiving greatly more than they paid, but the monies borrowed from them were immediately applied in the purchase of exciseable articles, and thereby the revenue was greatly increased, and eventually the expenditure of the country would be diminished. No doubt, he might be told by his right hon. Friend, that this increased interest was demanded as a protection against losses, and to provide for the expenses of the Board. Now in respect to the protection against losses, he contended that such protection might be always had by taking good and proper security, and with respect to the expenses of the Board, that might be provided for by a small addition to the costs of Government, and by applying the premiums on Exchequer bills for that purpose, instead of giving them to the borrower as at present, but he also contended that the expense of the Board should be borne by Government, as was the case in reference to the Scotch Board, for which 5,000*l.* a year was granted. Now in respect to public bodies following the suggestions of the Committee, he would press the following alteration to be made—that instead of the annual instalment of four per cent., as required by the present Act towards payment of the principal in addition to the interest, which also amounted to four per cent., a fixed annual payment of five or at most six per cent. should be made, such annual payment at first to be applied in payment of interest, and then in reduction of the principal. He called for this alteration, because the annual payment of eight per cent., which is at present required, excluded many useful works and undertakings, and which could be accomplished if the annual payment was only five or six per cent. Without the reduction of interest, which, however, he hoped still his right hon. Friend would grant, the difference of time in repayment to the country would not amount to more than a few years; and besides all public works were less able at their commencement to bear the heavy burthen—and according to the present act the heavy payments were at the commencement, and the lighter ones subsequent. He would content himself with these observations at present, and once more thanking his right hon. Friend for the Act of 1831, and the selection that was made in the appointment of Commissioner of the Board of Works, for a more upright, able, and efficient officer there could not be than Colonel Burgoyne, he would sit down on asking the following questions—whether the loan to the Ecclesiastical Commissioners or part of it was repaid, and, secondly, whether it was the intention of Government to renew the Mail-road Act passed in 1834?

The *Chancellor of the Exchequer* agreed that some alteration in the charges might be justly and beneficially effected. For instance, he did not think it fair that the borrowers should pay all the expenses of the Board, as the charges of other departments than those of public loans were now borne by it; and he would take care to have that alteration made, but he would make none in the rate of interest. Borrowers could not complain of this, for the ordinary rate to them was higher in Ireland, and Government, in attempting to assist one class, must not injuriously disturb existing arrangements, particularly such an influential point as the rate of public interest. However, he meant to give the Commissioners power in special cases to lower the rate of interest charged to facilitate certain works. He was not able to speak of the certain re-enactment of the Loan Act, but it was his intention to introduce a clause that would enable the Board to make a loan at once (without burthening the borrowers with the necessity of making formal application to his Majesty to lodge security as at present) in cases where they found the property of the applicants was perfectly adequate. He mentioned this to show his hon. Friend that he was not inattentive to the recommendations of the Commissioners; but he would not sacrifice a principle by interfering with the rate of public pecuniary transactions.

Mr. *Hume* said, that it was thought by some that advantage would arise to Ireland if Government would advance money there at a lower rate of interest than ordinary; but this was an error, for if it was allowed that Ireland wanted the aid of capital from private individuals, and it confessedly did, great danger and inconvenience to the country at large would arise by interfering with the rate of their supply, which was ten times the yearly amount that Government afforded by these loans. He indulged no bad will to Ireland in the expression of this opinion, which he felt convinced was the true view of the case.

Mr. *W. S. O'Brien* was happy to hear that such improvements were in the contemplation of Government for Ireland, but he must enter his protest against the principle laid down by the Chancellor of the Exchequer, that because the rate of interest was higher there than in England, the rate of charge on the loan should be proportionately high. How could they expect to encourage improvement in Ireland, if they sent Commissioners there in the capacities of Jews, to extort from the improving and industrious the highest premium from their pecuniary necessities? There were no private money-lenders there for such purpose, or whom the

Government could injure by even dealing. The country was poor, and really needed assistance in the rate of interest, as well as in the extension of loans; and it was only justice that the borrower there should have the benefit of obtaining the money on the same terms that Government obtained it here for him.

Report laid on the Table.

STATUTE LABOUR IN SCOTLAND.] Mr. *John Maxwell:* In bringing forward a Motion for the regulation of Statute Labour in Scotland, I anticipate the opposition of those who admire irresponsible power, who benefit by the abuses it seeks to terminate, and also by those who think they know a better remedy than the one it contemplates, besides that of those who wish the continuance of abuses, that they may have some end advanced by declaiming against them. I have not the presumption to say, that my proposed measure of relief is the best that can be devised, or to deny that it is capable of improvement. All I pretend to say in its favour is, that it embraces the principle of taxation and representation, and affords publicity, control of expenditure to parties contributing the expended funds, and appeal from parties interested to a disinterested tribunal, when the general interest requires such resource. I leave the existing qualification of trustees intact. Many of them being interested in more than one parish, secures to the county a better prospect of all parish communications being adequately maintained, and a greater probability of comprehensive and reflected views of good general management and united arrangements, than a tenant of land or house, or even a small landowner. To these, however, as locally the best acquainted with the wants of the parish, and as directly charged with maintaining them, and constantly affected by the frugal and impartial expenditure of the road-money, or the reverse, I propose to afford to them the representation of their interests, and the control of their contributions, which the power of electing trustees would confer. Although the tenant of land or house may be held to bargain for so much less rent when he offers to the landlord to occupy the property as the rate imposes on it, he does so with expectation to have the parish road to his residence fairly supported by that rate. It is hard that he should do so for a long lease, and if the landlord be a minor, lunatic, or female, be totally without the means of getting a just application, or even of offering a complaint—much less any power of appealing to any other tribunal than that which is composed of the order of those whose conduct renders the complaint and appeal necessary—the barons of the barony and the trustees of the parish being almost always identified in interests, if not in person. The occupier of a house and the owner being generally the same person, will be equally represented; but as I think mere occupancy gives a sufficient claim after a period of five years, I propose that it should give an elective privilege. The trustees would then be composed of owners of valued rent of 100*l.* Scots value, of a trustee elected by owners of valued rent under 100*l.* Scots, of a trustee elected by tenants of land, of a trustee elected by residing rate-payers owning houses, and of a trustee elected by rate-payers occupying houses as tenants. By this means the permanent and temporary rate-payers would be both represented, and both enabled to promote frugal, equitable, and judicious employment of their contributions, and such measures as would tend to secure good communications in every village and every parish, and a full but fair contribution likely to be realised and established. I would empower trustees so constituted and combined with trustees already qualified, to unite with other parishes, for the purpose of appointing district surveyors, collectors and clerks; but I would add, for the general interest, and for the individuals aggrieved, a power of appeal to the sheriff or justices of the county. The trustees on valued rent, being turnpike trustees, could employ or assent to the employment of the turnpike-road surveyor; and as the parish roads are the feeders and conductors to the turnpike roads, the public, as well as the local traveller, would benefit by his employment, and, the retention of the existing qualification of trustees of 100*l.* Scots valued rent. I should limit the operation of my Bill to burghs of borough landward parishes in the first instance, as it is framed for the purpose of relieving such districts from abuses complained of by their inhabitants; and I should print and circulate it in Scotland for a year previous to its enactment. Parliament and the Executive would thereby learn any and what objections, amendments, or alterations were desired by the country, and give it the sanction of the Legislature. The hon. Member concluded by moving for leave to bring in a Bill to regulate Statute Labour in Scotland.

Sir *Andrew Leith Hay* did not rise to frustrate the intentions of his hon. Friend, nor to bring forward any case to disprove what he had said with respect to the Statute Labour Roads in Scotland. But he could not think it would be advantageous to have a Committee appointed for the purpose of investigating the state of those Roads merely in a particular district; the proper course would be, in his opinion, to have a Committee on the whole subject generally, to take into consideration the public and private Acts under which they were at present placed, and the Amendments which it would be desirable to make in them. It was quite impossible that one Act, of the description proposed by his hon. Friend, could be made generally applicable to the whole of the country; and it would be, he had no doubt, the opinion of the House, that before they proceeded to alter the law in this particular, they should know what the law in general really was, and so be enabled to form enactments which would be beneficial to the whole community: he should, therefore, move as an Amendment, "That a Select Committee be appointed to investigate the several Acts, public and private, regarding Statute Labour in Scotland, and the manner in which the conversion is exacted or levied, and applied to the several counties respectively; and to consider how the existing laws may be amended, and report thereon to the House."

Mr. *Cumming Bruce* said, he thought Scotland greatly indebted to his hon. Friend for bringing forward this subject; nevertheless he considered the Amendment proposed by the right hon. Baronet, the Member for Edinburgh, would do much more to correct the evil so justly complained of throughout that country; he therefore hoped after the Amendment which had just been moved, that the hon. Member who had made the original Motion (to whose motives he gave the fullest credit) would consent to withdraw it.

Mr. *Wallace* would also join in hoping his hon. Friend would see the importance of his acceding to the Amendment of the right hon. Baronet, the Member for Edinburgh. At the same time he must say, that no part of Scotland was more oppressed than that which his hon. Friend represented, with regard to Statute Labour.

Sir *George Clerk:* After the general expression of feeling by Members connected with Scotland, he trusted his hon. Friend would meet the proposition of Government in the manner so universally desired. The hon. Member for Dundee who knew more than any man, perhaps, upon the subject, had pointed out an Act which he thought the best model of legislation in Statute Labour; it was a Bill brought in for the county of Forfar which had acted most beneficially. He thought the Committee, having before them the whole of these Bills would be able to devise a more perfect remedy for all the abuses existing in the law on that head.

Mr. *Fox Maule* also supported the Amendment, and trusted the hon. Member opposite (Mr. Maxwell) would withdraw his motion.

Mr. *Maxwell* was most happy to find that his Majesty's Government were willing to take up the question, and willingly yielded to the suggestions of the influential Members for Scotland who had just spoken.

The original motion withdrawn, and the Select Committee appointed.

FLOGGING IN THE ARMY.] Mr. *Wakley* wished to ask the hon. and gallant Member for Barnstaple, whether it was his intention to bring forward his motion for the abolition of military flogging, and, if so, whether he would press that motion to a division?

Major *Fancourt* replied, that it certainly was his intention to move for the entire abolition of military flogging; and he assured the hon. Member that he would not waste the time of the House by introducing the motion if he did not intend to press for a division.

Mr. *Lennard* observed, that as the hon. and gallant Member for Barnstaple (Major Fancourt) had already placed a notice on the Motion-book, with the intention of bringing forward the subject of military flogging when the Mutiny Act should be brought before the House, it was not his intention to trench upon the ground which that hon. and gallant Member had thus occupied. The only object which he had in view at the present moment in moving for the returns for which he was about to ask was to obtain such information upon the subject as would put the House in possession of the real facts, and without which it would be impossible for them, with due regard to the value of preparatory evidence, to proceed to the consideration of the question as to how far it would be safe and expedient to commute the present disgraceful and shocking punishment into one of a nature as effectual though not so abhorrent to civilised society. It was therefore, he conceived, necessary for them, previous to the introduction of the annual Act for the suppression of mutiny, to have laid before them some returns by which it might be ascertained how far the practice of corporal punishment had decreased in the army, and also how far the application of punishments in general throughout that branch of the service was in accordance with the mild spirit of legislation which had so fortunately and with so much success prevailed of late years in civil society. The House was in possession of no facts nor of any data which could throw a light upon the practice of Courts-martial, until the right hon. Member for Coventry had furnished some information, which was afterwards increased on the occasion of the motion of the hon. Member for Middlesex on the subject of corporal punishment. That information was useful as far as it went, but it was not sufficient fully to elucidate the subject. It was the opinion of persons of the highest military as well as civil authority, that the practice of flogging was worse than useless, and more so now than it had ever hitherto been. The experience of observant inquirers on this subject made them aware that the man who was once flogged was, in the majority of cases, a lost man; that he constantly fell from one act of disgrace into another; until in many instances the individual became little better than a flogging block in his regiment. It had been stated, by a very high authority, as a proof that milder punishments would be efficacious, that the effect of hard labour and solitary confinement had been tried with the happiest results in lieu of flogging upon the most brutal. On a former occasion he had expressed his intention of moving for returns which would enable him to trace a flogged soldier through his whole career, in order that the effects of this mode of punishment might be made more obvious; but he had, upon consideration, abandoned his intention, as the returns would be too intricate to be furnished. He, therefore, had contented himself with the returns stated in his notice, and he the more readily adopted the limited motion as he looked with some expectations to the result of the labours of the Commission which had been appointed to inquire into this subject. He should, of course, refrain from touching upon the melancholy result of two recent cases of flogging, as they were not sufficiently before the public to enable people to form a correct opinion of the facts; but it could hardly be denied that the practice had again occasioned the loss of life in two instances. In expressing his opinions upon this revolting punishment, he by no means desired or meant to disparage the judgment of those high military authorities who had given their opinions that there was a necessity for its continuance; but he must be allowed to say that those opinions were anything but conclusive, and they must also, in some degree, be attributed to the circumstance that the long-continued practice of flogging had wedded the supporters of the system to it. He did not attribute to any military men the desire, or even the actual fact, of having misused their power, but perhaps they were not so able to judge of its effects, as to abuse or use, as those who were impartial witnesses of the circumstances. It was an extraordinary fact that, at the time of Sir Samuel Romilly's endeavours to lessen the practice of flogging in the army, the Bench of Judges were opposed to its abolition, and the Bench was composed of men not remarkable for their severity. It would now scarcely be believed that humane men of such high characters and standing would have set their faces against an attempt to ameliorate the lot of humanity, but the difficulty was solved when the penal code of that day was compared with the milder application of punishment now so happily and so efficaciously in vogue. He might state as an example of the fallacy of the creed which adopted severity of punishment as its criterion of obedience and due observance of the law, a circumstance which had come to his knowledge, upon the authority of a well informed person. In the colony of New South Wales an Order in Council was issued restricting Magistrates from inflicting more than fifty lashes upon convicts who had misconducted themselves. The Governor was told, that it would be impossible to restrain those unhappy men in anything like subordinate bounds if this order was acted upon. The Governor, however, followed his own opinion upon the subject, the Order in Council was not rescinded, and most certainly the Government of that colony was not shaken, nor in any way disturbed in consequence. Thus the same results might, he was convinced, be looked for by altering the system in the army. He was willing to admit that military authority upon this point was very much, and deservedly so, looked up to by the community at large. But in the mean time the House ought to collect facts, in order that they might guide the exercise of their judgments by them. There was no difference in opinion as to the practice itself; all admitted it to be dreadful, but the real difference was as to the safety of doing away with it. He trusted, therefore, that the House would no longer sanction the Mutiny Act, without ample and convincing proofs of the necessity of this punishment and whenever the House should be called upon to renew that Act, he trusted it would require an exact statement from the Government of the mode in which the power of inflicting corporal punishment had been exercised during the past year. He hoped that the House would then be satisfied as he was, that the present brutal punishment could be dispensed with in the army, in the same way that violent and shocking punishments had been abolished in civil society; and that the milder and not less efficacious punishments of solitary confinement and hard labour would be subtituted, which would be much more in accordance with the feelings of the country and the spirit of modern legislation. He begged to move for a return of the number of soldiers who have suffered either corporal punishment or imprisonment, and wherever either corporal punishment or imprisonment has been inflicted on the same person more than once, specifying how often it has been so inflicted.

Mr. *Herbert B. Curteis* had long been convinced that the practice of flogging in the army ought to be abolished, at least during the time of peace: with respect to its infliction during a war, and its absolute necessity to preserve discipline when the troops were on foreign service, he would offer no opinion; but as far as regarded its abolition whilst the peace continued he was the determined and constant advocate of that alteration in the Mutiny Act, and had on all occasions voted for it. He strongly approved of the motion, to which he would beg to add an amendment, which the right hon. Gentleman, the Chancellor of the Exchequer had said he did not object to—[*No, no.*] He begged pardon, he had understood the right hon. Gentleman so, but he would not hold him to the words of a private conversation. The amendment which he proposed was to add the following words:—"What the sentence was, and in what manner it was carried into execution."

Mr. *Cutlar Fergusson* was sorry his hon. Friend had entered so much at large upon the question to which the returns moved for referred, as he had been led to believe such was not his intention, but that he merely meant to move for the returns specified, and which he had intimated to him his noble Friend the Secretary-at-War, was ready to grant. The present was not a fit time to enter upon the consideration of the great question of military flogging, and he wished very much that his hon. Friend had waited until the proper opportunity had developed itself. He had no objection to furnish the returns required. There would be some difficulty in obtaining the details required by the hon. Member as to the number of times the same man had been punished; but he would take such means as were within his power to obtain the returns correctly from each regiment, in order that the object of his hon. Friend might be answered. With respect to the observations which had escaped his hon. Friend as to the fatal result of the recent cases of punishment, he must say that there was nothing at present before the House to warrant them in believing that death had ensued from the actual flogging; and it was incumbent on them to be in possession of the facts before any judgment was pronounced upon them.

Mr. *Robinson* expressed his utter abhorrence of the practice of military flogging; and he never could be persuaded by any returns showing its diminution, either that it ought to be continued, or that the House, relying upon the humanity of the officers of the army, ought to be satisfied so long as the slightest vestige of so dreadful a practice remained on the statute-book. Two dreadful examples of its fatal inefficiency had recently occurred at Woolwich; they certainly could not at present be made a subject of consideration by the House, because the case was now undergoing investigation, but when the right hon. Gentleman opposite (Mr. C. Fergusson) declared that the facts were not sufficiently before the House for them to form a judgment upon them, he must take the liberty of telling him that if those men had not been flogged, their deaths would not have ensued in such a manner and at this time. The whole army system was defective and required revision. So long as the present mode of recruiting was persevered in, by which all the worst subjects in the kingdom were made soldiers of, so long no proper state of discipline could be maintained. Let the authorities endeavour to heighten the character of the service by rejecting disorderly and improper characters, and let them also put into practice the method enforced in the Continental troops, of degrading and dismissing the man who acts disgracefully, and that would be found as effectual in the English army as it was on the Continent, and would also enable them to dispense with the brutal infliction of flogging, which the public, he was now convinced, were all of opinion was as repugnant to true policy as it was abhorrent to every principle of humanity and justice.

General *Sharpe* said, that he was far from being an advocate, abstractedly speaking, for the practice of flogging; but he was afraid, indeed he was certain, that the description of punishment recommended in its stead would go much further to degrade the soldier than the punishment now in practice. He denied that the punishment of flogging so far degraded a soldier that he could never after be respected or respect himself. He would state facts in support of his opinion. As one instance, he could name a case when he commanded a regiment of Dragoons during the war. He happened to be brigaded with another regiment, in which the gallant Member for Bath (General Palmer) then served. In that regiment there was a soldier who had been flogged for drunkenness, but who had afterwards conducted himself so well that he was made a non-commissioned officer, and was subsequently raised to the rank of serjeant-major. In the regiment which he (General Sharpe) commanded, an Adjutant was at that time wanted, and he applied to the noble Earl who commanded the other regiment to know if he could spare his serjeant-major, who appeared to be a most efficent non-commissioned officer. The noble Earl replied that he could; but that he felt it his duty to state that the man had once been flogged for drunkenness. Having regard to the character of the crime for which the man had been punished, and his subsequent good conduct, which had raised him to the rank of sergeant-major, he (General Sharpe) did not hesitate to take him into his regiment as his Adjutant, which rank of course entitled him to associate with the other officers of the regiment on a perfect equality. In this situation he continued to conduct himself with so much efficiency, propriety and gentlemanly conduct, that he was beloved by his brother officers; and the noble Earl, his old Colonel, having afterwards had an opportunity of seeing how much he was liked in the regiment, and how well he conducted himself, made a special request to have him back again as his own Adjutant—a request which would not have been granted to any one else. He did go back to his old regiment, and soon after rose to the rank of Captain. Did not this case show that flogging did not degrade the man? But, let him ask, if this man had undergone the punishment of the treadmill, would he have been received as their equal by any body of officers in the British army? Most certainly he would not. He never would have been permitted to rank with gentlemen. The gallant General cited another similar instance where flogging a man had not produced the degrading effects universally attributed to it, and maintained that the continuance of the practice was indispensable to the safety and the discipline of the army.

Mr. *Hume* was surprised at the assertion of the hon. and gallant Member, that there was nothing degrading in being flogged; and he could not but regret that the opinion of the gallant General should be formed upon an isolated case, opposed as it was to so many, which should induce him to arrive at quite a different conclusion. However, this was not the time to enter upon the discussion of so wide a subject. He should, however, express his conviction that the time had arrived when that House should interfere to put an end to such a system. If the Government did not interfere to put an end to this abominable practice, that House would be obliged to interfere, and tell both the Government and the officers of his Majesty's service, that the soldiers should no longer be subjected to the infliction of a punishment so degrading. He wished to know from his right hon. Friend below him, when they might expect the Report of the Commissioners.

The *Chancellor of the Exchequer* said, that his noble Friend, the Secretary of War, was most anxious to forward the Report of the Commission; and in answer to an application made within the last few days to persons connected with that Commission, his noble Friend had been informed that within a week it might be expected the Report would be in the hands of his Majesty's Ministers.

Mr. *Cutlar Fergusson* said, that the individuals employed on that Commission had been engaged most industriously in the duties assigned to them. Not one moment had been lost, and he believed their labours had been brought to a termination. He could not say how long this Report might be in the hands of the printers, but he had little doubt but it would be in the hands of the Government before the expiration of a week.

Major *Fancourt* rose for the purpose of offering only one suggestion. The surgeon of the regiment was always present when these punishments were inflicted, and exercised such humanity in the amount of punishment as the nature of the case might require. This, however, was done only at the moment. Perhaps it would be desirable if, previously to the infliction of the punishment, the surgeon were to inquire into the previous general state of health. This might be the means of preventing the occurrence of death, as happened in some recent cases. This might prevent the infliction of a heavier punishment than was contemplated by the Court-martial.

Colonel *Sibthorpe* had served some years in the Scotch Greys, and scarcely ever saw this punishment inflicted in the regiment. Those who were anxious, as all officers must be, to preserve the character of a regiment, would have recourse to it as seldom as possible. With respect to the punishment of solitary confinement and hard labour, there was this objection to it, that it would have the effect of punishing the innocent for the guilty; for the innocent men would have to do the duty of the guilty during their confinement. He would object to the return, as not being full enough. There should be also a return stating the general character of the men, and the circumstances under which the punishment was awarded. It could not be denied, that the fear of this mode of punishment had a great effect upon the soldiers. He feared it would be impossible to do away altogether with military flogging, and at the same time to preserve the discipline of the army. He knew, in the early period of his service, a distinguished officer upon whom it had been inflicted.

Mr. *O'Connell* emphatically denied that flogging was either necessary or effectual for the purpose of what the gallant Officer was pleased to call "redeeming" the soldiers. And so the gallant Colonel had discovered that the substitution of solitary confinement for flogging would be punishing the remainder of the regiment for the offence of one! Suppose for a moment that it was so, would it not be cheaply purchasing the abolition of that disgraceful and degrading punishment, by obliging a man to occasionally mount an additional guard? But what was really the case? "Solitary confinement," quoth the gallant Officer, "would take the man from his duty." Well, did flogging send him to it? No; he was flogged till the skin was stripped from his back, and then sent to a hospital to abide the chance of a mortification. But it was necessary, it seemed, to flog, in order to "redeem" the soldiers. Redeem! Oh, it was a word that should not be so desecrated. The army of Napoleon—not a soldier in it was flogged, and yet they were tolerably well fitted for the ordinary duties of military life. It was time that this degrading punishment were totally abolished—that the lash should be no longer applied to the back of a British soldier, when it was discontinued even amongst the black men. The hon. and learned Member concluded by expressing a hope that the hon. Member for Barnstaple would persevere in his motion upon this subject.

Mr. *Wakley* said, that without going into the general question, he should merely observe, in reference to the recent cases at Woolwich, that he had himself seen one of the bodies, and he had never seen stronger proofs of death having ensued from bodily injury. Upon examination of the body, no trace of internal disease could be discovered, and the blush of health was still on the cheek of the corpse. He should not advert to this subject at more length, as he should now give notice that he should, on the morrow, move for a return of the finding of the Jury, and the evidence taken before them. There was an account of the proceedings at the Marine-barracks at this place, in a newspaper of great circulation and influence—he meant *The Weekly Dispatch.* He would read it to the House:—"Early on Monday morning last, a private marine, named William Saundry, was led forth into the open space fronting the barracks at Woolwich, to undergo the christian-like punishment of receiving two hundred lashes. The square having been formed, and the wretched delinquent tied up to the halberts, the drummers commenced, when the screams of the miserable wretch were so loud and heart-piercing, that, notwithstanding the fifes and drums were ordered to drown them, it is positively stated that they could be heard above a mile and a half across the Artillery-ground! After receiving one hundred lashes, or nine hundred cords having been passed over his lacerated back, Saundry was ordered to be taken down, for what reason is not known, nor will we venture to state whether it was a voluntary or forced act by the officer in command. Saundry was led to the infirmary in a fainting state; and whether the same fate awaits him that fell to the lot of the victim Ramsay, time alone will prove. It may be as well here to give a description of the cat used in the marine corps. Similar to others, it has nine thongs made of whipcord, in each of which three over-hand knots are tied, and at the end of each cord there is a hard substance formed about the size of a large pea. On the night previous to the sentence being carried into effect, the drummers received orders to soak the cats in water, after which they were hung up to dry, thus making each cord like a piece of wire. To complete the education of the drummers in this diabolical practice, the figure of a man's back is chalked out in the drummers'-room, and they are taught so to administer the lash, as to prevent the cords being clotted together with an offender's blood, as they draw the cat across his shoulders. This is done that each of the knots, thirty-six in number, may take proper effect in jagging the man's flesh." Now this account had not been contradicted. The gallant Member for Dumfries said, that flogging was not degrading to the soldier. Now he would ask whether it was honourable? He would also ask, if it was not degrading to the men, why it was not applied to the officers?

Major *Beauclerk* had received a letter from Portsmouth, in which it was stated that 4,000 lashes had been inflicted on the men in the corps of marines stationed there, within a twelvemonth. He would, therefore, suggest that the return should be amended so as to include all the marine corps. He knew that it was the opinion of most of the officers in the army that the time had arrived when corporal punishment should be dispensed with. This could only be done satisfactorily in times of peace, and he intreated the Government at least to try the experiment without delay.

Colonel *Thompson*, on the other hand, observed:—many junior officers having stated their opinion upon this subject, he could not refrain from adding the testimony which an experience of thirty years enabled him to give of the miserable consequences of that brutal and degrading punishment. He believed it was the bane and nuisance of every officer who desired to do his duty. If it was desirable to abolish it in time of peace, it was ten times more desirable to abolish it in time of war, as it prevented the officers raising up those feelings between officer and soldier which, in those moments when nothing but personal attachment had any influence, would stop the soldier from committing the excesses which frequently disgraced war. Did any one believe that if that punishment had not been enforced, those dreadful scenes, at the bare mention of which the whole British army blushed—he referred to the horrors of Badajoz and St. Sebastian—would have occurred. Let the British officer have the opportunity of encouraging his men, when occasion required, with arguments like these, "Did I not shield you from punishment on such an occasion? Did I not bring you up when you were hanging in the rear, with your musket on my shoulder, and would you desert me now?" Would such an appeal not be listened to? The punishment of flogging was not inflicted when a battle was expected, for they said, "We cannot be flogging men before the enemy." Why, then, cultivate a punishment that had this peculiar nature, that it failed before the enemy? Let a man who deserved serious punishment be handcuffed and marched a prisoner in the rear, and if that does not touch his sense of danger or his sense of shame, treat him like a piece of useless baggage—like a cast horse—and on the first opportunity get rid of him for ever.

Mr. *Roebuck* said, that as punishments had been successfully mitigated as regarded civilians, he did not see why such severe punishments in the army should be continued. He understood that the punishment in the marine corps was much more severe than that in the army. In the former, the cat which was used in the navy was used, while in the latter one of a different construction was used. It had been stated that during the Peninsular war, when the bodies of English and Spanish soldiers were stripped and left together, that the French troops when they came up, could always distinguish the bodies of the English by turning them up, as they generally found their backs marked with the cat. He, of course, did not state this on his own authority; but it was asserted in a publication written, he understood, by a person who was formerly a surgeon in the army.

Dr. *Bowring* remarked that he visited the town of St. Sebastian soon after it was taken by assault by the English troops, and he had the declarations of the magistrates of the place in his possession, as to the conduct of the soldiers. He had then heard it stated repeatedly, that many officers had been destroyed in endeavouring to prevent the horrible depredations and crimes which were committed by the English soldiers. He had no doubt that the British officers could have exercised such a control over the soldiers, as to prevent them committing such atrocities, had it not been for the system of flogging. The soldiers of the French army entertained an almost boundless confidence and attachment to their officers, and this chiefly arose from the lightness of the punishment inflicted in that army.

Mr. *Harvey* stated, that when the question was brought forward last year, it was postponed at the suggestion of the noble Secretary at War, who stated that Government had appointed a commission to inquire into the system of military punishments, with a view to see whether a change could not be effected, and that it was desirable to wait for its report. From what the House had that night heard, it appeared probable that a long delay would occur. He trusted, therefore, the House would not allow the matter to rest.

Mr. *R. C. Fergusson* repeated, that all the witnesses that it was intended to call had been examined, and the report was nearly ready to be laid before the House. The investigation had been carried on, in such a way as to throw the most perfect light on the subject.

Colonel *L. Jones Parry* observed, that as one of the oldest officers in the army, he was anxious to trouble the House with a few observations. He believed, that he might quote the authority of Lord Hill, in saying that punishment in the army was declining, and that there was little doubt but that it would within a short time be got rid of altogether. He had served many years in a regiment in a most excellent state of discipline, and during that time he did not recollect a single instance of punishment having been inflicted. As some allusions had been made to the marines—and he begged to observe that he had the honour during a portion of the late war of commanding two battalions of marines—a more excellent or useful body of troops did not exist in the service, and their conduct was so exemplary during that time, that there was no necessity to resort to punishment.

Mr. Lennard's motion was agreed to.

At the suggestion of Mr. Hume a similar return was ordered with respect to the marines.

Disputed Elections.] Mr. *Charles Buller* rose for the purpose of bringing under the attention of the House the present state of the law relating to the trial of controverted elections, and to move for the appointment of a Committee to inquire into it. He was aware that the subject was not of an interesting nature, and that the House might not, perhaps, like to listen to an enumeration of its own misdeeds; but he trusted that attention would be given to him for a short time. He could not help feeling that he should have brought forward his motion with greater advantage during the last Session, when Members had to attend Election Committees, and when their attention was much directed to the subject. At that time many Members on both sides of the House admitted that they found the present system to be inconvenient, and exclaimed loudly against its injustice. If the feelings of hon. Gentlemen had somewhat moderated since then, still he trusted that they had not altogether passed away, but that they were willing to enter upon the consideration of the subject and would devote to him for a short time their serious attention. Some Members might feel shocked at a proposal to make at once a complete change in the system of trying controverted elections; but although he was satisfied that such a course of proceeding would be expedient, still he did not intend to do so, but merely wished to move for a Committee of Inquiry. Before the Grenville Act was passed, the House assumed to itself the right of exercising a jurisdiction in matters of election petitions, and determining in such cases, in the same numbers and the same forms in which it decided political questions, who was entitled to a seat in Parliament. The decision of the House was then come to under the same party feelings as operated on Members' minds in other matters, and a decision in a case of contested election was a party triumph.

Never, probably, were the rights of such an important body as the elective body in this country so recklessly trampled on as by that which happened to be the predominant party in the House. He would only refer to one fact in the history of the last century in confirmation of this. Every hon. Member was aware that the downfall of Sir Robert Walpole was occasioned by the decisions of the House in two controverted elections. A historian of that period (he believed it was Horace Walpole) said, that, although, in the first of these cases, the Minister was in a majority of four, he thought that such a majority in a matter on which he was said to be doing right, was not sufficient to enable him to go on. The Chamber of Deputies in France also determined all cases of controverted elections in the full House, and he believed that he was justified in saying, with an equal sacrifice of justice to that which was formerly experienced here. The taking these questions out of the hands of the whole House and intrusting them to a Committee of limited numbers, forming something like a jury, was undoubtedly a great improvement; but still the system in many respects was defective. Indeed he believed that it was now generally admitted that the tribunal for determining cases of elections was most imperfect and incompetent, and there was a suspicion attaching to it which he thought they ought to be proud, as Englishmen, did not attach to any other tribunal in the country. If the public were admitted on such occasions, they would, he believed, be surprised at what took place at the ballot of an Election Committee. What would they think if they saw Gentlemen who were to be called upon to exercise their functions in a judicial capacity, come down to the House under what was called "the whip?" This was the case on both sides the House, and therefore he did not bring the charge more against one party than another. For the last three or four years both sides of the House had been assembled on the balloting for every Election Committee under "the whip." What would the public say at hearing the expression of party feeling in the House on the appointment of Members on this judicial tribunal, where three or four names were called from one side. He repeated, that he did not apply the observation to merely one side, for it was equally applicable to both. It was also common to hear a Member's friends complain of it as a matter of shame if his name was called and he was not present. Again, if a Member approached the Table to be sworn of the Committee on the ground of age or official situation, what murmurs arose from his friends, and what feelings of dissatisfaction were manifested! What opinion would the public form of the fairness and impartiality of the House in these proceedings, if they could know the expressions of feeling emanating variously from Members on both sides of the House after a ballot had concluded? If they were allowed to listen to the congratulations of "Oh, you have got a very good Committee;" or the desparing announcement of a Member petitioned against, contained in the words — "I have got a very bad Committee, and I may as well strike at once." In some cases this had been seriously intended, and he remembered last Session an instance in which a specimen of the opinions entertained by the public of the fairness of members of a Committee had been afforded in a very unusual and *naïve* manner. He alluded to the striking of the Canterbury Election Committee, after a great preparation on both sides of the House. The ballot took place, and on the very same day one of the chief supporters in Canterbury of the Tory candidate stuck up in his window a list of the Committee, with the letters C or R, designating Conservative or Reformer, appended to each name; and on this announcement a jubilation was immediately prepared by the Conservative party in that city, in anticipation of certain triumph before a tribunal so constituted. So much for the estimation in respect to fairness and impartiality, and the absence of party feeling, in which the public held these tribunals as now constituted. That estimation was not without foundation, for he remembered two or three years back two Committees sat on separate petitions, both complaining of bribery. The facts were similar in both cases, both turned upon the question of agency, and in both the final decision depended on the result of various intermediate resolutions. In one Committee the bribery was held to be proved by a majority of six to five on every one of the intermediate stages, and in the other Committee, by a most singular coincidence, the same majority, in each stage, came to decisions whereby the proof of bribery was shut out. Now, as to the expense of these proceedings, they were, of course, well known to hon. Members who had been so unfortunate as to have been mixed up in such matters. He had, however, inquired the general expense of petitions, and had found the most favourable specimen as to cheapness in the Salisbury case in 1833. That petition cost 1,000*l.* Another in the same year cost 2,000*l.*, others 3,000*l.* and 4,000*l.*, and he had learned that in one case the expenses on a petition had amounted to 10,000*l.*, and, it was even said, in another to 20,000*l.* This was a subject not interesting to the parties alone, but most important to the constituent bodies of this country—they were interested that the right man should be returned, and yet even when another had taken the seat, on a mere majority of seven votes, the expense prevented them from coming to this House to prove the legal majority was the other way. To the expense of these proceedings was to be added the excessive delay by which Committees protracted their inquiries and increased the costs. He had spoken to one of the most eminent practitioners before these tribunals on this subject, and inquired the cause of so much delay. He had been told as the reason, that, in the first place, no Committee considered itself bound by the decision of a former Committee, even on a question of law; that therefore every point of law might be re-argued, and the last Committee generally did great justice to the argument, by upsetting the judgment and decision of its predecessor. He was informed, in the second place, by his professional friend (in the irreverend way in which lawyers are apt to speak of Members of Parliament), that considerable time was further consumed in instructing Committees in the mere elementary doctrines of the rules of evidence, and that no sooner was this accomplished in one Committee than Counsel had to proceed to another, in order to go through the same process. When he thus complained of delay, he trusted he should not be charged with inconsistency in his argument, if he also found fault with the excessive precipitancy of some Committees in arriving at conclusions. As proofs at once both of delay and precipitancy, he need only refer to the two Montgomery cases, well known to the right hon. Gentleman opposite. Before proceeding to call the attention of the House more particularly to those two cases, he must mention an anecdote which bore most completely on his charge of precipitancy. An hon. Friend of his was, some Sessions back, petitioned against, and on inquiring from him the probable result of the petition, he was surprised to hear that it would depend on the state of the weather, for, added his friend, "the whole question turns upon a difficult point of law, and a mass of very wearisome evidence. If the weather be rainy, the Committee, not desiring to get out, will sit and listen to the argument of Counsel; but if the weather be fine, they will all be desirous to ride or drive in the park, and though the law is clearly with me, they will not attend to the discussion enforcing it, and so surely will they oust me from my seat." To return, however, more directly to the subject to which he was desirous to call the serious attention of the House, he contended that the real accusation against these tribunals was, that they were wholly unfit and incompetent for the work that was intrusted to them; it was not that hon. Members were so swayed by party feeling that they would not be just—it was not that they could not be taught their duties, but it was because hon. Gentlemen came to Committees of this kind knowing nothing of the law, possessing no acquaintance with the principles of law or evidence, because one Committee was not bound by the decision of a former Committee, because Committees decided upon no fixed principle, and because there was at present an utter uncertainty both of what the law in this respect has been or will be. In cases of questioned qualification, of necessity, many difficult questions of property in law must arise, and he need instance only the recent Drogheda case, in which Mr. O'Dwyer was unseated on one of the nicest possible points of equity law, to show that these were not questions to be tried by a Committee, constituted as the law now stood. He would next advert to the uncertainty as to decisions of different Committees on the same point. The first question before all Committees was the custody of the poll-books. Now in the Dublin case an objection was taken to the admissibility of the poll-books, on the ground of the omission in the jurat of the affidavit verifying the poll-books of the names of the deponents. That objection was held to be good, and the parties were put to great inconvenience and expense in order to get out of the difficulty. In the Cork City case at the same time, however, the same objection was taken, but the Committee there decided absolutely contrary to the Dublin case, and overruled the objection. The decision of the Roscommon Committee—that the poll-books coming out of the hand of the agent for the returning officer were inadmissible, was overruled, though the circumstances were the same, by the Inverness-shire Committee. Again, in the first Montgomery case, which he had already mentioned, the point raised was the sufficiency of the proof of the custody of the poll-books. The Committee, after argument, held the proof to be insufficient, but the second Montgomery Committee, before whom the same objection was maintained, decided directly the reverse, and quashed the whole case. He was not surprised at the precipitancy with which the last decision was arrived at, when he found that the Committee heard the case on the "Oaks day." There was another very important point, upon which the greatest possible uncertainty prevailed at present, and which it was desirable should be permanently determined; he alluded to the question of opening the registries, or to what extent the registries were to be held to be conclusive. On this point he believed the Committees on English Election cases have decided uniformly right; but in Ireland there was the greatest possible confusion. He meant confusion with reference to this point. Though the Irish Reform Act had declared the registry to be "conclusive," there had been no less than three constructions put on the word "conclusive," as applying to the Barrister's decision. Galway, Coleraine, and two other Committees, limiting the meaning so as to render the registry utterly useless; Carlow and Youghall interpreting it so amply as to render the registry absolutely final, and so rendering the Committee useless. The Clonmel Committee took a middle course, admitting an appeal from the decision of the Barrister in such votes as were objected to at the time of the registry, and this seemed the most reasonable view of the point. The next point to which he felt it necessary to advert, was the contrariety of decisions as to the necessity of first proving agency before giving acts of bribery in evidence. This was a point whith the House ought long since to have settled, and have afforded every facility in the proof of allegations of bribery. At present, however, the charge of bribery was always met with a most formidable technical objection—namely, that it was not allowable to prove acts of bribery committed until the agency of the party committing them was fully proved. Now, in September, 1833, the Newry, Oxford, Warwick, and Norwich Committees decided, that bribery might be shown before agency was proved, while the Ennis and the Hertford Committees held directly the contrary; and though the same point was raised and discussed in the Bristol case, yet even the counsel could not make out how the Committee then adjudicated. But he had a still more singular instance of contrariety of decision afforded him in the Dungarvon case in 1834, where the bribery of a man of the name of Dower was admitted in proof without agency being established, and yet in the very next page of the Report, he cited, the Committee came to an opposite determination, by refusing the bribery proof of Dower's brother until agency was made out. He now came again to the first and second Montgomery cases. In the first, Mr. Pugh, who was unseated for treating, had a "very bad" Committee. A new contest followed, and the Tory candidate, who was started in Mr. Pugh's place, became the petitioner, seeking to unseat his opponent on the ground of treating at the former election. The Committee on the second petition held that the recriminatory case ought to have been gone into on the first petition when it could not have been gone into as the then sitting Member was not a party, the petition being from electors, and refused to entertain it. He was not surprised, for on reference to his Almanack he found that the last Committee sat during the Epsom week. There was another important point on which the decisions had recently been various—he alluded to the question whether after registration, a man could be disqualified from voting. It had been held by all Committees, for a long time, that a man abandoning his qualification after registration, but before the poll, was disfranchised. The contrary had been, however, the decision of the Windsor and second Canterbury Committees last Session. Again, thirteen Committees had held that paupers had no right to vote, until the second Canterbury and the Ipswich Committees admitted pauper votes objected to. Another Committee refused to reject the vote of a minor, because his name appeared on the register, though it was urged by counsel before them, that on the same principle a woman equally disqualified by law from voting might, if registered, be retained on the poll. In the Droitwich case, however, the Committee struck off from the poll the name of a peer, though registered, and here was again a different decision upon two most obviously similar disqualifications. With respect to the disqualification of persons employed in the revenue, the Windsor and Canterbury Committees allowed the votes of such parties, and also of the keepers of post-offices, while the Rochester Committee decided the other way. He had another singular instance of contrariety of decisions in the Monmouth and Worcester cases, both of which turned upon the question whether wagers laid as to the result of a contest did not amount to merely a pretext for a bribe. It appeared that bets of *5s.*, or a bottle of wine, had been made. In the Worcester case, such a bet was held to disqualify the vote, and Mr. Bailey retained his seat. In the Monmouth case, the Committee on the petition of Mr. Bailey's son held otherwise, and the result was, that the difference of the decisions on the same point seated the father and unseated the son. He thought he had stated enough to justify him in moving for a Committee of Inquiry on this subject. He had prepared a plan for the constitution of Election Committees; but he did not think it would be proper in so young a Member of the House as himself, to call upon Parliament at once to adopt his proposition. He was anxious to have a Committee appointed to consider the subject, and to recommend any plan which they might consider an improvement upon the existing system; and he thought this a better mode of proceeding than the introduction of a Bill in the first instance. He would, however, explain the general nature of the plan he was himself inclined to recommend, and, in doing so, he might, perhaps, shock some Gentlemen by the extreme moderation of the reform he proposed; but the principle upon which he acted, with respect to this and to all other matters, was not to make a greater change than was absolutely necessary. He knew that some Gentlemen were of opinion that no good would be done until the jurisdiction, in cases of controverted elections, should be entirely taken away from the House of Commons and transferred to some legal tribunal. He did not concur in that opinion; for, though a regular legal tribunal might be the best in ordinary times, he still thought it was the duty and the business of the House of Commons to provide for the maintenance of its own independence in unfavourable seasons. For this reason he conceived that the House would not act wisely in allowing the power of deciding on controverted elections to be transferred to Judges, who might happen, at some period or other, to be indisposed to respect the privileges of the Commons. The best course for the House to adopt would be to endeavour to make its own tribunal as perfect as possible, and it struck him that it would be an obvious improvement on the present system, if the number of the Members composing an Election Committee were reduced, and their individual responsibility thereby increased. He would also advise that the Committees should be struck in such a manner as to avoid all opportunity for the display of that party feeling which, to the discredit of the House, was now occasioned by the ballots. It would be of great advantage, in default of the assistance of an ordinary Judge, if the House were to secure the presence, in the Election Committees, of a permanent chairman or president, in whose judgment, experience, and knowledge of law, confidence might be placed. He would now state the heads of his plan; they were as follows:—A chairman to be elected by the House at the commencement of every Parliament. (Of course there must be more than one chairman; but the number might be settled by the Committee to which he proposed to refer the consideration of the question.) The chairman so elected should preside *ex officio* over the Election Committees, and vote in all divisions. In the first week of every Session, the names of all Members, whether present or absent, should be placed in the balloting-box, unless reason for the contrary should be stated and allowed by the House; and every name should be put down on paper in the order in which it was drawn, that such paper should form the list from which the Election Committees should be regularly taken, and that it should be printed with the votes. Such an arrangement as this would, he thought, put a complete stop to the canvassing for the attendance of Members at election ballots. That days should be appointed for the consideration of disputed elections; that all applications for delay should be heard and disposed of by the permanent officer elected by the House; that the original Committee list should contain eighteen names, six to be struck off by each party, so that the reduced list would consist of six only. He confessed that he thought that four Members would be enough to constitute a Committee, because the more the number was reduced the greater would the responsibility of the Members become. In all cases in which a division should be called for, the chairman should pronounce his opinion publicly, and, at the termination of the case, should charge the Committee. He did not of course, mean that the Committee should be bound by the opinion of the chairman. All the divisions should be mentioned in the Report of the Committee, with the names of the assentients and dissentients to every Resolution. The only other change which he proposed to make was with regard to the question of costs. At present, the parties whose conduct, either in prosecuting or opposing an election petition, was declared to be frivolous and vexatious, was compelled to pay the whole costs; but he proposed that a regulation should be adopted similar to that which was observed in courts of law, and that the costs should be apportioned by the Committee, with reference to each allegation of the petition. He would now move "That a Select Committee be appointed, to consider the laws relating to the determination of the right of voting, and the trial of controverted elections."

The *Chancellor of the Exchequer* said, he only spoke the sentiments of every Member of that House when he expressed the satisfaction which he felt at hearing the clear and able statement which his hon. and learned Friend had just made. He was not only satisfied with the arguments which his hon. and learned Friend had adduced, but the mode in which he had dealt with a question so important in itself, and with which he had taken such pains, and on which he had displayed so much impartiality. No person who was conversant with the subject could deny that some improvements were necessary, and he did not think there was a Member of that House who did not feel the evils of the present state of the election law, and wish to provide against them. If a foreigner had heard the statements of his hon. and learned Friend he might be induced to suspect that they were exaggerated; but, for his own part, he could enumerate many cases which would go the whole length of those statements. The statements of his hon. and learned Friend did not require much to support them, and, without wishing to add to the catalogue of facts which his hon. and learned Friend had laid before the House, he could not refrain from mentioning one or two cases to show the total incompetence of Election Committees as at present constituted. He by no means wished to impute to these tribunals any unfair dealing; but to show that the inconsistency of their decisions was the result of incompetence, and did not proceed from any want of desire to do full and ample justice. The first Committee on which he had sat was appointed to try the allegations of a petition from his hon. Friend, the Member for Aberdeen, against the return of the sitting Member. His hon. Friend, in his petition, alleged that riots had existed during the election, which precluded the possibility of free opinion on the part of the electors of that borough. The petitioner having made out no case, the Committee decided, that it was unnecessary for the sitting Member to call evidence; and yet, when they came to a division, four of those who had so decided actually voted against the Member keeping his seat. This could surely not have happened if the tribunal had been competent. The other instance was a case of his own. It was there decided, that because the party who had the legal custody of the poll-books was not forthcoming, the seals upon them should not be broken, so as to give them in evidence. He was of course unseated by this decision, although the Bristol Committee, sitting at the time in an adjoining room, under precisely similar circumstances, not only broke the seals of the poll-books but received them in evidence. In that case the party from whom the poll-books were produced was declared to be seated, but the difference of the two cases was, that his had the misfortune to be a Limerick case and the other a Bristol one. He, however, had no doubt whatever, that both Committees had acted impartially, but still such contrariety of decision showed in the most convincing manner, that some improvement was required in the formation of those tribunals. He was very glad his hon. Friend had done that which he was bound to do—that he had not only pointed out what he had considered the inconvenience of the present system, but was prepared to suggest a remedy for the evils which he had pointed out. With respect to the remedy which his hon. and learned Friend had suggested, all he could say was, that he assented to the principle which his hon. and learned Friend had laid down. He agreed with his hon. and learned Friend, that the House of Commons should retain its own station, power, and independence, and not submit to have any of the functions which of right appertained to it transferred to any other tribunal. It was not only proper that they should maintain their own privileges, but it would in his opinion be highly inexpedient in every point of view to refer such matters for decision to a Court of Law. Whatever confidence the country might have in the decisions of the Judges he did not think it would be prudent to allow the Courts of Law to be mixed up with party politics, or subject to the imputation of partiality, to which in such cases they would no doubt be exposed. His hon. Friend's description of a ballot was rather a dramatic one, but if it afforded, as he believed it did, the chances of impartiality, it would be wrong to act on contrary principles, in selecting Committees to which that business was to be referred which the House could not transact. There were two of the remedies proposed by his hon. and learned Friend in which he concurred. He meant, first, with respect to the limitation of the numbers of an Election Committee. They had, already, in fact, adopted that principle, because they had reduced the number from fifteen to eleven. A smaller number than eleven he agreed would be decidedly an advantage, provided it was accompanied by a real protection—that protection which publicity alone could give. It was important to all parties, voters as well as to Members of that House, that the proceedings of Election Committees should be public—should not be conducted with closed doors. But it was said, that if this were done it would preclude all amicable discussion—that it would deter young Members from acting in Committees of this description. Be it so. Why, if it were wrong to have young and inexperienced men on such Committees let them be excluded. This, however, was a mere hypothesis, and not a fact. But, if they were to decide on the rights of others, surely it was not going too far to say, that they should administer justice in the face of the public, rather than in private. So far from wishing to throw any difficulty in the way of his hon. and learned Friend, he rejoiced that he had brought the subject forward. There could be no doubt that it would be a great advantage if such tribunals were composed only of experienced men, in whom the House could place the utmost confidence. He trusted that the Committee which his hon. and learned Friend sought would be granted, and that they would be able to put that House in possession of such information as would enable them properly to legislate upon the subject.

Mr. *Williams Wynn* concurred in the sentiments which the right hon. Gentleman who had just sat down had expressed, and must bear his testimony to the ability, industry, and, above all, good temper, with which the subject had been brought before the House. He felt, notwithstanding the arguments which had been adduced, that, considering the circumstances in which recent changes had placed them, a re-consideration of the question of the best means of conducting controverted elections was one of considerable difficulty. Great confusion had taken place in the law of elections since the passing of the Reform Bill. He regretted, though he could not but admit the fact, that of late years Election Committees had lost the confidence which they ought to enjoy—which they had enjoyed by general acknowledgment previous to the passing of the Reform Bill. Formerly, the right of challenge was scarcely ever exercised. The clerk of the House was allowed to strike off the names of the Committee, and the parties were willing to abide by the decision of a tribunal so chosen, being conscious that English Gentlemen would act as justly in such a case as if they had been called upon to discharge the duties of Grand Jurors. When he first had a seat in that House, now thirty-nine years ago, there was no apprehension that those who belonged to one party would take any unfair advantage of the other. The object of the early Committees was, to preserve unbroken the stream of concurring decisions; but of course cases arose in which it became necessary to establish new precedents. With respect to the Limerick case, all he would say was, that the decision of that Committee created general surprise; and it was because that decision was considered to be wrong that the Bristol Committee, of which he had been a member, took a contrary course. Indeed, the decision of the Limerick case led to the passing of an Act on the subject, and he it was who recommended to the Bristol Committee to admit the poll-books as evidence, for the express purpose of overturning the authority of a decision universally acknowledged to be bad. He denied that any favour whatever had been shown to the sitting Member in the Bristol case. He did not wish to give any opinion with respect to the cases arising out of the elections for the county which he had the honour to represent. One case turned upon the rejection of the poll-books as evidence; and in the other the Committee refused to receive evidence of treating in conformity with the stream of authority for the last thirty years. He must, however, say that the Committees were placed in a most difficult position—he meant with respect to how far they were bound to consider the decision of the Revising Barristers final. He considered the question so doubtful that he urged upon the noble Lord by whom the Reform Bill had been introduced the absolute necessity of passing a Declaratory Act upon the subject, with a view to establish something like uniformity in the election law. He suggested the necessity of creating a tribunal of appeal from the decisions of the Revising Barristers, for the purpose of effecting that object, and the noble Lord said that an Act of the kind should be introduced, but up to the present hour that promise remained unfulfilled. He renewed that suggestion because he thought it was important that Parliament should adopt some means of settling all questions of doubt, by passing a Declaratory Act. In such an Act it should be stated how poll books were to be produced. That was the difficulty which was felt in the Limerick case, because it was said that the petitioner had a right to expect that the poll-books should be produced by the party having the legal custody of them. He did not for his part know any reason why the Court of King's Bench or the Court of Common Pleas should not be allowed to exercise the jurisdiction of a Court of Appeal for the decision of the Revising Barristers. At the same time that he concurred in the necessity of taking this subject into consideration, with a view to devise some remedy for the evils complained of, he felt that it was essential to the maintenance of the dignity and independence of that House that the charge of preserving its privileges should not be left to any foreign tribunal. With respect to leaving controverted elections to the decision of the Judges in the Courts of Law, he felt that it would be most prejudicial that cases of this nature should be decided in those Courts, for where party spirit was excited, and where the decisions would be liable to the imputation of party feeling, he considered that nothing could be more calculated to prejudice the administration of justice. He objected to the proposal of having a standing Chairman, lest the election of such a Chairman would be made the subject of party contention. In time of stormy politics such a Chairman would be sure to be elected by the party that could command the majority. He would appear in such circumstances to be in some degree in connection with that party, and, however fair and just his decisions might be, he would be still liable to suspicion. Where there would not be the fullest reliance on the perfect impartiality of the tribunal it was impossible that its decisions could carry confidence with it. With respect to the reduction of the numbers he did not object to that part of the proposition. He himself, on a former occasion, had brought forward a motion to reduce the number from fifteen to eleven, and in doing so he acted under the conviction that by lessening the number they increased the responsibility. He must, in conclusion, acknowledge the fair and impartial spirit in which the hon. Gentleman had brought, forward the motion, and should the hon. Gentleman place him upon his Committee, he would be most ready to consider the subject in the same spirit in which the hon. Gentleman had brought it under the notice of the House.

Mr. *Rigby Wason* said, that from his own experience he could bear testimony that the hon. Gentleman had not exaggerated in the statement he had made. With regard to the remedy proposed, he thought it impossible that any tribunal should be able to deal with a question of law which did not possess some knowledge of what the law was on which it was called upon to decide. He thought that, before entering into any question as to what kind of tribunal they should establish, their first duty was to inquire into the state of the law with reference to this subject, and to simplify and improve that.

Mr. *Bernal* had heard the observations and arguments of the hon. Member for Liskeard with the greatest pleasure, and he thought while the hon. and learned Member had done himself honour, he had also done the House great service, by the introduction of the present motion. He was also exceedingly happy to hear that the motion received the approbation of the hon. Member for Montgomeryshire, because anything that fell from that hon. Member, the more particularly on this subject, was entitled to great weight. He did not wish to throw any impediment in the way of the Committee, but he feared it was almost impossible to find an adequate remedy for the existing evils, unless by a revision of the whole of the election laws. Committees of the House of Commons did not consider themselves to be under the necessity or obligation of being bound by the same rules with respect to evidence as those which regulated the decisions of the Courts of Law. The Judges who presided in those Courts considered themselves bound to follow a regular continuous chain of evidence. That was not the rule which had applied, in his experience, to the practice of Committees of that House. It was no uncommon thing for all the Members to be at sea with regard to the course to be adopted in the case before them. It might happen that those sitting knew nothing of the principles of evidence, or the rules which should guide them. They might listen with attention to the propositions and the arguments addressed to them by one Counsel, or, on the other hand, they might disregard him. One Counsel would maintain that agency had been proved against a party, the other would rebut it, and the Committee did not know on what to fix their attention. One Counsel might adduce in support of his position the cases of Carlow and Northampton, the other that of Nottingham or Ilchester, and the Members would be completely ignorant by which of them they should be guided. A disgraceful termination was frequent, for three different Committees might be sitting at the same time, and that in the Committee-room No. 1, might decide in one way, while that in No. 2, might come to a different, and that in No. 3, to an entirely opposite, conclusion. What remedy were they to find for this disgraceful course of action? Was it not possible to appoint some responsible person to guide the labours of a Committee, and thereby to impart some consistency to its decisions? When he came into Parliament no situation was so anomalous as that of a nominee, who was appointed to assist the deliberations of the Committee, who took an oath to act impartially as a Juryman, and went into it with the determination to act as a partisan. The basis of the evil, however, was party feeling—party was the bane of the proceedings of Election Committees—every man, he spoke not of what his politics might be, on these subjects was guided by party considerations. He (Mr. Bernal) saw very little chance of remedying the evil; but it was absolutely incumbent on the House to take the best means in its power for the purpose, if possible, of preventing them.

Sir *Frederick Pollock* entirely concurred in the opinion of the hon. Gentleman who had brought forward this Motion as to the necessity of seriously considering this subject. He would ask any Gentleman who had ever attended election Committees whether their present mode of proceeding was satisfactory either to the House or to the public. When they were evincing the fullest anxiety out of doors, that justice should be administered in the most satisfactory manner, it became them to look at home. He did not mean to go into any discussion upon the subject, but he anticipated very little contradiction when he stated that the evils of the present system were universally felt and acknowledged. Before he had had the honour of a seat in the House of Commons it was his misfortune, he might almost say, to practise before many election Committees, and of all the tribunals that he had ever known, a Committee of that description was the very last that he felt any disposition to attend. He hoped that in thus speaking boldly and frankly his opinion on this subject, he could not be supposed to intend any offence to any Gentleman at either side of the House. He was happy to see that the evil was felt in the House, because it was a matter of such general complaint out of it, and he hoped some system would be devised that would entitle the decisions of such tribunals to respect.

Mr. *Roebuck* said, that the complaint urged against the present system was the want of knowledge on the part of the Members of Committees, and the existence of party feeling, but he thought the remedy proposed by the hon. Gentleman who introduced the Motion would combine both these evils. He objected to a permanent Chairman, for though, from long experience in his office, he would acquire a knowledge of law that would give authority and consistency to his decisions, yet he would not be surrounded by sufficient responsibility, for he would share his responsibility with the other Members of the Committee. The decisions of the Committee would, in a great degree, be governed by the opinions of the Chairman; but though his influence would, of course, thus be considerable, he would merely possess the same degree of responsibility as any other Member of the Committee. The remedy which he would suggest might not, at first view, be acceptable to the feeling of the House, but he was convinced that the more it was considered, the more it would be approved. His proposal was, that they should select a Judge, one of the twelve Judges, if they approved of it, whose whole duty should be to decide cases of this description, and who should have nothing whatever to do with any other Court. The high situation which he held—the publicity with which he discharged his functions—his knowledge of the law, and his perfect responsibility—would give to the decisions of such a functionary the strongest claims to public confidence. That justice was fairly administered was not sufficient unless the people were convinced that it was so, and he thought that a Judge, selected in the manner that he had described, and acting under the fullest responsibility, would be the most likely to do justice to all parties.

Mr. *Ewart* was of opinion, that a legislative judicature was the worst species of judicial tribunal they could have. He suggested the establishment of a legal tribunal, isolated from the House of Commons, to be appointed by the House, and though not an integral portion of it, connected with it. Such a tribunal would be the most likely to give satisfaction.

Colonel *Jones Parry* thought the House exceedingly indebted to the hon. and learned Gentleman for bringing this subject under its notice. To illustrate the evils of the present system, he might mention a case in which a friend of his was told by another party concerned, "You need not defend this petition, for myself and another man equally wealthy are paying the expenses." There were sporting petitions, and such things as knocking the brains out of the Committee.

Mr. *Aglionby* called the attention of the House to the delay which now took place between the return and the ballot for the Committee. He thought the matter should be more speedily settled. He wished to know whether the Committee to be appointed was to take into consideration this part of the law. There were two points which he thought especially deserving of its attention. The first was the present mode of taking the recognizances. The parties were not allowed to lodge money in the hands of the officer, but were called on to give in the names of sureties. Now he himself, when serving on a Committee, had been compelled to vote against his own conviction upon a mere technical objection raised by Counsel, though the merits of the case were quite on the other side. Then, with respect to presenting petitions, any person might present a vexatious petition against the return of a Member without the least responsibility to prosecute it afterwards. He had known that to be done for years, in order to prevent Members from being eligible to sit on Committees within the number of days prescribed by law. He wished that the Committee should direct their attention to this part of the subject, and would propose, if the House thought it necessary, in order to include the points to which he had referred, that after "the law of controverted elections" should be inserted the words "and the law of other matters relating thereto between the return and the balloting-day." If the House, however, thought the motion sufficiently comprehensive, he would not press his amendment.

Mr. *Potter* supported the motion. In 1831 he had petitioned against the return for Wigan, and relying on the argument and statement of his counsel, believed he was sure of success. But while he was carrying on the contest with the greatest confidence, he received a letter from a friend at Wigan condoling with him on his defeat. In fact, the decision of the Committee, which had astonished the lawyers, was not given till after he received the letter. On inquiry he found that a Member of the House had written to his friend at Wigan, immediately on the Committee being struck, to inform him that six Tories were placed on it, and there was not a shadow of a chance of success; and that Member who could read the decisions of Committees by the individuals composing them, was quite right in his views.

Original motion agreed to, and Committee appointed.

SCOTCH LAW AMENDMENT.] The *Lord Advocate* said, there are a great variety of subjects which are recommended to the consideration of the Legislature by the two Reports of the Law Commission for Scotland, and by the Report of the Municipal Commission, and it will be my duty, as soon as the time of the House will permit, to lay before the House for their consideration, and that of the country, such bills as may appear calculated to carry those recommendations into effect. There are, however, other bills which have been already under the consideration of the House, and which were not passed last Session owing to the various urgent and important matters which then occupied the time of the Parliament, but which ought now to be brought under consideration of the House without delay. The first is a bill for regulating the sequestration of the estates of bankrupts in Scotland. That bill has been before this House in various forms for a great number of years. There were points of very great difficulty, which produced differences between different portions of the profession, and a contention as to principles, which it was not easy to reconcile and carry into practical operation. It was absolutely necessary that there should be somewhere a general superintendence and control over all sequestrations, to whatever part of Scotland they may be applicable, and that English or foreign creditors should be able to ascertain what the proceedings were, and how they were carried on. If that were not done, sequestrations might be obtained and carried on against the same companies or individuals in various parts of the country at the same time, because they might happen to have places of trade and business in different counties. On the other ahnd, the various subordinate proceedings in sequestrations can be carried on with much less expense, and the investigations made with greater efficiency in the local courts than they can be at Edinburgh. Most of the important points connected with these matters were adjusted in the Bill which was before the House last Session, but which was not finally reported until the middle of August. Some objections, though of minor importance, were still made to the Bill, while some of the most extensive mercantile communities in Scotland were desirous that it should pass as it then stood. There was not, however, sufficient time at that very advanced period of the Session. During the recess I have had many meetings with persons well acquainted with the subject, who are not satisfied with some of the provisions of the former bill, and the result of those conferences was to reduce the remaining differences to a very few, and I may say, not very important points. The Bill which I shall now lay before the House will be the same, both in principle and in all important respects as that formerly introduced. The arrangements will be found in some respects, to be improved, and I have availed myself of the assistance of a learned Friend to concentrate and simplify some of the clauses. While the Bill will be equally comprehensive, it will be in some respects shorter than that of last Session. This Bill comprehends a number of points most important to persons of all conditions in Scotland, and will, I believe, more than any other bill, diminish the expense of legal proceedings to those of the community on which they bear most severely. The law of Scotland has always had a just and well founded abhorrence of imprisonment. According to the principles and practice of that law, no person can be imprisoned because he is unable or refuses to pay a civil debt, but certain forms must be gone through, and after the judgment of a court, he is commanded, in the King's name, to pay the debt he owes to an individual, and on his refusing to comply with the orders of his Majesty, he is denounced a rebel. Every ordinary act of imprisonment is, therefore, on a writ of rebellion against the unhappy subject of it. The principle and feeling of the law of Scotland is most laudable, but it occasions a great deal of expense, which ultimately falls on the unhappy debtor whom the law is anxious to deal with in the most lenient manner. The Law Commissioners took the matter into their consideration, and they have stated, "that after the most attentive consideration we cannot discover any reason why the principle of direct execution should not be adopted universally, and extended to the effect of attaching the debtor's person as well as his estate. We apprehend that extracts of the decrees of the Court of Session, as well as of the Sheriff's Courts, might easily be so framed as to supersede letters of horning and caption, by embodying a warrant of charge for payment, and also of arrestment, poinding, and imprisonment, in case of failure to pay." The report of the Law Commissioners, to which I beg leave to refer the House for the further details of the Bill, points out (pp. 58 and 59) the different provisions which ought to be kept in view in making these alterations in the law with regard to personal diligence, and I trust that the procedure recommended by them, and adopted in the Bill, that every advantage will be secured, while much expense will be saved. The saving of expense in pursuing steps of diligence is, in the first instance, an advantage to the creditor, but ultimately to the debtor, and it would be very mistaken humanity to preserve ancient, cumbrous, and expensive modes of procedure, while all their advantages can be obtained by those which are more simple and less expensive. I have brought this, which is one of the most important parts of the change, first under the view of the House. I am sure it is one in which they will take a very strong interest; but I ought to mention, that this Bill contains, in the outset, various provisions recommended by the Commissioners, where there is no sequestration. The criterions of notour bankruptcy will be the same in both Bills, but while the one Bill is exclusively confined to the provisions connected with sequestration, the other is intended to contain such provisions as may be necessary for cases of insolvency whether there is sequestration applied for or not. In order to make a person notour bankrupt, it was necessary, in certain cases, to imprison him, or that he should take refuge in a sanctuary. The proposed Bill will obtain the same object without the necessity of imprisonment, by declaring the person notour bankrupt, and by establishing a register of persons so declared notour bankrupts, the object will be attained, not only in a more humane manner, but will enable all persons more easily to ascertain whether an act of bankruptcy has taken place. The other provisions of this Bill relate to the execution of the law against the effects of the debtor, by arresting the debts due to him—by seizing his goods, or poinding, as it is termed in the law of Scotland—by inhibition, which is a legal proceeding by which persons may be prevented from disposing of their heritable property to the injury of the creditor applying for that proceeding. There are, also, regulations for diminishing the expense of the process of adjudication, by which creditors are enabled to appropriate the real property of their debtors for payment of their debts, and the judicial sale which takes place in consequence; and there are also regulations relative to sales made in virtue of powers to that effect. In the last place, the Bill regulates the process of poinding on the ground by which the proceeds of landed property are attached for recovery of debts which affect the land. As the first and second Reports of the Law Commissioners contain a very full exposition, both of the existing law and of the proposed improvements, I refrain from entering so minutely into the details as I should otherwise have felt it my duty to do. I had at one time, framed separate Bills for each of the points which are brought under the consideration of the House in this Bill, but, on further reflection, I have become satisfied that it would be more convenient for the House, and equally so to the country, to unite all the provisions with regard to bankruptcy and execution, at the instance of creditors, either against the person or against the estate of debtors, into one Bill. Great pains have been taken to make the provisions as short, clear, and simple as possible; and I trust this Bill may be read, and easily understood, by persons who are not lawyers. I believe I may add, on the part of the Scotch representatives as well as myself, that they will feel indebted to those English or Irish Members who will direct their attention to the subject. In the reports to which I have already referred, they will meet with every explanation which they may require, and they may, perhaps, in watching over, and superintending, a system different from their own, make observations and receive suggestions which they will find applicable to their own institutions. The next Bill is one for regulating the process of *cessio bonorum*. A Bill embracing a part of this object was before the House last Session. According to the law of Scotland, a debtor is entitled to be freed from imprisonment on surrendering to his creditors all his effects, but this procedure was confined to the Court of Session. Such cases usually turn on the question, whether the conduct of the debtor has been fraudulent, and it is often found very difficult, and always very expensive, to carry on such investigations in the Court of Session. It appeared to me desirable to place in one Bill all the regulations with regard to this process, whether it should take place before the Court of Session or before the Sheriff Court. The Bill to Amend the Law of Scotland as to Erasures in Instruments of Sasine, passed through this House last Session, and I again introduce it, with some alterations, to obviate objections which were made to it, and with the omission of a clause which was objected to in this House, restricting the operation of the Bill to cases in which suits had commenced in the Court of Session before a certain date. I believe the feeling in the country for the necessity of such a Bill, in order to restore confidence to the landed rights in Scotland, has increased instead of diminishing; for further inquiries have produced, as I suspected they would do, additional instances of defects of this nature. Conveyancers did not consider, in general, that such erasures in instruments of that description were fatal. Estates were frequently purchased and debts contracted where the debts were liable to those objections. According to the present law of Scotland, a person who has the misfortune to be the issue of parents not legally married, cannot, unless he have lawful children of his own body, dispose of his personal or moveable estate, as it is termed by the law of Scotland, though it has been acquired by his own industry. He may, if he happens to possess a landed estate of any amount, convey it in the same manner as any other person may do. It is not an easy matter to account for this peculiarity in the law of Scotland, and it is a singular circumstance, that, in the time of Sir Thomas Craig, who died in 1608, it does not appear to have existed, according to various passages in his learned work, "De Fendis," I think there can be but one opinion, that this anomaly in our law, which has neither the rules of the civil law nor remote antiquity to recommend it, should at once be removed, and that unfortunate persons who are themselves perfectly innocent, should have one of the strongest motives to acquire property, that of being able to leave it to their friends. At present it only adds a further stigma to spurious birth, and, if it operate at all, makes them less prudent and industrious. This is a matter in which the Crown has a direct interest, as the moveable property of all such persons devolves to the Crown, which it will not do if they shall have made a last will. I have, however, been assured by my hon. Friend, the Chancellor of the Exchequer, that the consent of the Crown will be given to this measure. By the 1st. of Wm., IV. cap. 69, it was declared that the offices of Judges of the Commissary Court at Edinburgh should not be filled up, and that as " soon as vacancies should occur in the whole of such offices, the said Court shall be entirely abolished, and the powers and jurisdiction of the Court transferred to the Sheriff of the county of Edinburgh." I have been informed that this enactment was at the time intended to be superseded by an Act relieving the Commissaries of the remaining duties of taking proofs, and that they received an assurance to that effect. During the five years that have elapsed two of the Judges, one of whom held the office for thirty-one years, have been rendered incapable of performing the duties, and very great inconvenience and expense arises to the public from there having been no means devised for having proofs taken at a distance from Edinburgh. I do not, therefore, anticipate that any objection will be made to this Bill.

Leave given and the Bill ordered to be brought in.

Roman Catholic Marriages (Ireland.)] Mr. *Lynch* moved for leave to bring in a Bill to repeal so much of the Act 19, George II., c. 13 (Irish), as amends and makes void all marriages celebrated by any Papist priest between Protestant and Catholic. He did not anticipate any opposition to the bringing in of the Bill, and he would not therefore trouble the House with any remarks in its present stage.

Mr. Sergeant *Jackson* begged to give the hon. and learned Member notice that he should oppose this Bill in every subsequent stage. He had opposed the last Bill, and he should feel it his duty to oppose the present.

Colonel *Perceval* rose for the purpose of intimating his intention to follow the same course. He had now for three successive Sessions been called upon to enter his protest against the Bill which the hon. and learned Gentleman opposite seemed so desirous to force down their throats, which might most properly be described as a vote for the encouragement of clandestine marriages in Ireland. He protested against the introduction of the measure, and should give it every opposition in his power.

Mr. *Shaw* did not approve of the state of the marriage law as at present existing in Ireland; but it should be dealt with on a much more comprehensive and general way than was proposed by the hon. and learned Gentleman. It would be far better if the Crown lawyers in that House would take up the question. The effect of the hon. and learned Member's Bill would be to remove that which was at present the only check to clandestine marriages in certain cases, and would put the Roman Catholic clergy on a better footing than those of the Established Church.

Leave was given.

Borough of Poole.] Mr. *Blackburne* moved for a Select Committee to inquire into the circumstances connected with the recent municipal election for the borough of Poole, which had been detailed to the House in the petition that had been printed and circulated amongst hon. Members. The hon. and learned Member adverted to the false return made by the mayor, in consequence of which a majority was given to one party in the town-council, whereas that majority really belonged to the other, and maintained that this was a case which he would undertake to prove if the Committee were granted, the truth of the circumstances which had been mentioned in the petition presented from Poole especially called for the interference of Parliament.

Sir *Frederick Pollock* did not rise to oppose the motion, as he should follow now the same course which he pursued the other evening when this question came before the House. But he hoped the House would allow him to make a few remarks on the observations made, not in that place merely, on the conduct which he adopted on the last occasion of this motion coming before the House, for in some measure his own personal character was affected by them. He thought he then said he should act very incorrectly and without that due sense of delicacy which every hon. Member must feel if he took part even in the discussion, much less in the decision of this question. He apprehended that the House, in any decision it might come to on this question, was acting in a judicial character. He was sure that every Gentleman must admit the impropriety of a Member, who was retained as an advocate in the courts below, sitting in that House as a judge in any stage of the same case. The hon. Member for Middlesex had said, that if he refused to interfere in the discussion because he was retained as an advocate a delinquent had nothing to do but to retain as many hon. Members as possible for advocates, in order to screen himself by preventing them from interfering. Was the hon. Member for Middlesex aware of the still greater evil that might occur if delinquents were allowed to retain hon. Members as advocates, in order that they might take a part in the discussion? Was it not better that a Member so humble and unimportant as himself should abstain from taking part on this occasion than that the honour, the integrity, the purity of the administration of justice by that House should be questioned from the circumstance of an advocate for the accused having taken part in its discussions. There must certainly be some limit beyond which hon. Membersshould not refrain from interfering. But in a matter in which any hon. Member was himself personally concerned, or in which he was confidentially trusted with the case of one of the parties, it was impossible for him conscientiously to do his duty to his clients and to that House at the same time. He might certainly be told, as he had been told, that in such a case there were conflicting duties. It was true; but it was a case which could not often occur; it was a case which he was not sure ought to occur at all. He, however, could not help it. It arose from the circumstance of a case being brought before the House of which the courts of law had already got seisin and possession. The difficulty was none of his creating. The view which he had taken of the question was a view not dictated by his own feeling alone, but was founded upon what, as far as he had been enabled to ascertain, had been the uniform practice of that House. He could quote the authority of two very distinguished men who had been Members of that House, Lord Brougham and Lord Abinger, and he was convinced that a contrary practice would be productive of the greatest inconvenience. He should act that night as he had acted on a former occasion, and he hoped his explanation would be satisfactory, and that he could not be fairly accused of abandoning a public duty in pursuing that course which a sense of honour and delicacy alone dictated, and he hoped that the hon. Member for Middlesex would not feel it necessary to make any remarks upon his conduct, either whilst he (Sir Frederick Pollock) was absent or present.

Mr. *Hume* said, the question stood just where it did. The hon. and learned Member was elected to that House to take part in its discussions, and by his own confession he was, on this question, incapacitated from fulfilling that duty. He would admit to the hon. and learned Member that there might be an individual case—there might be two or three cases not worth mentioning—but his position remained untouched. He was far from desiring to cast any reproach on the hon. and learned Member, as he had no doubt he acted from the most pure and conscientious motives.

Sir Frederick Pollock left the House.

Mr. *Williams Wynn* defended the course pursued by the hon. and learned Gentleman. When Mr. Brougham applied to the House for permission to defend the Queen at the Bar of the House of Lords it was made an exprees stipulation with him that he should not vote as Member of the House of Commons on the question, and the other Members of the House who acted as counsel gave the same pledge. He did not think the case of Poole a case in which the House ought to interfere. After what they had heard that night of the disgraceful conduct of the House when exercising judicial functions, he did not think the House would be very likely to redeem itself from that imputation if it set the precedent of interfering with municipal elections. If they did, every case in which parties thought they could raise objections would, instead of being taken to the King's Bench, be brought to that House. And why? Because, if there were a favourable administration, or a favourable majority, it would be anticipated that the parties coming before the House would not lose the benefit of that majority. It would be remembered when the Municipal Reform Bill was introduced that he pointed out to the House what must be the inevitable consequence of it if a mayor were resolved to favour one party. He pointed out that very inconvenience. He was told that it would be provided against, and that assessors would be appointed to watch the conduct of the mayor. It so happened that the Clause was not introduced. Whether it was only intended to postpone it to a future occasion, in order to guard against the probability of future corruption, he knew not; but so high a confidence had Ministers in the new municipal authorities, and the way in which they would discharge their duties, that they did not think it necessary to take such a precaution with them. Whether old or new, he believed mayors now were much the same as mayors formerly, and so they would be in future. They might change the name, but the nature of the thing was not changed—the animal mayor still remained the same. The Municipal Bill would not do away with the jobbing and corruption on the part of those at the head of the municipality. They would doubtless possess the same private information, the same advantages, the same opportunities, and be subject to the same temptations as their predecessors; and, if they were inclined to work injustice, they could work it just as well under the new system as the old. ["*Question.*"] He was speaking to the question. Really he must say, this practice of interrupting was as disgraceful as any which had been alluded to in the prior debate [of that night. He was not to be put down in that way when he felt that he had important duties to discharge. He knew not how any Member could contribute more to the degradation of the House than by endeavouring, by the mere force of clamour, to overbear all opposition when questions of great judicial importance were under consideration. This was not a question that could be reasonably expected to pass *sub silentio*, and he must say these unseemly interruptions deserved rebuke. He thought to grant a Committee in this case would be introducing a bad precedent for the reason he had stated, and more especially as the case was already before a court of justice. He thought it was most fitting that they should have the decision of that court before they took any step in the matter.

The *Chancellor of the Exchequer*, when upon a former occasion the hon. and learned Member (Mr. Blackburn) called the attention of the House to the subject, he yielded to the opinion of the hon. Member for Montgomeryshire, and indeed of both sides of the House, that the petition should be printed, in order not to gratify their curiosity, but because, having brought charges against the official conduct of persons, they might have an opportunity of meeting those charges; and he would not call the attention of the House to the fact—that no petition had been presented to the House impugning in the slightest degree the facts stated in the petition. He need not recal to the attention of the House the great excitement which had been produced through the whole country, by the passing of the Municipal Reform Bill last Session, and the anxiety with which the country watched its operations. This was the first election in which the most serious charges against the Mayor (and not controverted by that officer), were brought specifically under the notice of the House; not, as the right hon. Gentleman opposite (Mr. Wynn) seemed to think, for the purpose of superseding the Courts of Law, but because in this instance the Courts of Law he feared had no jurisdiction, and could afford the petitioners no effectual redress; and the Committee would be valuable in another point of view, it would assist the House in its legislative capacity. Parliament was, in his opinion, justified in acting in the manner proposed, because it was necessary that a remedy should be applied to the evil before the Court of King's Bench could do so.

Mr. *Law* thought it was the most inaccurate reasoning imaginable, to conclude that the parties who had not answered the petition by their silence confessed the allegations against them. Might it not, with as much fairness, be presumed that, like many Members of that House, these parties doubted the competence of the House to take into consideration the allegations of the petition until the ordinary tribunals of justice had been found inefficient for that purpose. He saw, in the proposed proceeding, the commencement of a most dangerous interference with the Courts of Justice; and, if for no other reason, he was determined to oppose the motion. What, he asked, would be said of their consistency, if, after having but a few hours ago declared their incompetence to give a judgment upon such a question as one relating to their own privileges, they were to turn round and say that they would judge in a case upon which it was even doubtful whether, by the laws of the land, they were a competent tribunal? Would it not be said that they changed their determination with the view of asserting a party question? Would it not be said, that they determined upon converting themselves into a judicial tribunal in the case under consideration, because they found that their pet Bill had not worked as well as they hoped, and in order that they might, by an arbitrary vote, correct those supposed defects through the instrumentality of which, in this particular case, they had been discomfited at the last Municipal Election? He contended that the ordinary tribunals of justice were quite sufficient to give redress in the alleged case, and therefore, on that ground, he hoped the House would resist the motion.

The *Solicitor-General*: Although the hon. and learned Recorder had deprecated the introduction of political and party spirit into the discussion, he would leave it to the House to say whether, if the subject had been brought on, it had not equally been met, in that spirit. The hon. and learned Gentleman said, it was unfair to presume that because the Mayor had not answered the charges of the petition, that therefore he had confessed his guilt. Why he (the Solicitor-General) did not assume his guilt, conclusively; he only assumed it for the purpose of instituting an inquiry, not for awarding punishment. The petition had been printed eight days; Poole was one day's post from London, and not only had no counter petition arrived, but he did not find any hon. Member instructed to say on the Mayor's behalf, that he denied the allegations of the petition. He admitted, indeed, that if the Courts of Law were armed with powers of redress, it would be most inexpedient to apply to the House; but at the same time he maintained that, inasmuch as the Committee if appointed, would be bound to report if it appeared to them that the ordinary tribunals were adequate for the purposes of justice, without the intervention of the House, no bad precedent or injurious effect could result from the House acceding to the motion. In his opinion the Court of King's Bench could not give the relief required by the petitioners. They might overthrow the election, but could they atone to the inhabitants of Poole for the misapplication of the corporate funds, while the improperly elected officers were in power?

Mr. *Scarlett* contended, that until the Courts of Law had been first tried, and found inadequate to the ends of justice, it would be highly improper in that House to grant the proposed inquiry. If, however, it was granted in the case of the borough of Poole, his constituents in Norwich would lose no time in demanding a similar investigation into the appointment of its existing corporation.

Mr. *Blackburne:* if the hon. Member for Norwich could bring forward any case from that or any other Borough, of such gross misconduct as that of which he complained, he might rest assured of his hearty support, on a motion for a Committee. He did not bring forward the case, as the hon. and learned Recorder said, for the purpose of punishment, but to prevent the mischief; to enable the Inhabitants of Poole to do that which the Act of last Session intended they should do —elect their own municipal officers, and get rid of those persons which had been palmed on them, under the pretence of that Act, and who, till removed by the Legislature, had the power of doing any thing they thought proper, and, for aught they knew, intended to get rid of the whole Corporate property. He did not want the facts stated in the petition to be taken as true, but only so far taken to be true, after the opportunity of answering them, afforded by the printing of the petition, as to grant an inquiry; and if, on inquiry, they should be borne out, (and he pledged himself that they should) then he could not conceive that the House would not grant him relief. If the courts of law could effect the object had in view, he would not have thought of the present Motion, but as no court of Law could grant relief if the House did not interfere, it was impossible that justice could be done.

Mr. Sergeant *Jackson* said, that for the House to draw to itself the jurisdiction of the different courts of the country was a most dangerous precedent. The effect of this inquiry, in which evidence would be forestalled, printed, spread abroad, and read by persons who might be jurors in a trial of an issue on this very question, would be most injurious. [" *Cries of Question.*"]

Colonel *Perceval* said, that seeing no disposition on the part of the House to carry on the Debate with fairness to both sides, he felt called upon to move that the House should forthwith be adjourned.

The House divided on this Motion—Ayes 37; Noes 109;—Majority 72.

The House again divided on a Motion, that the debate be adjourned—Ayes 34; Noes 105;—Majority 71.

Mr. *Charles Buller* moved, " that Mr. Sergeant Jackson be now heard."

A long and desultory conversation ensued, which, from the great noise and the number of hon. Members speaking in an inaudible tone, we could not comprehend, in the midst of which—

Mr. *T. Duncombe* proposed, that both sides should draw lots, whether the original Motion for adjournment or the amendment should be adopted.

Mr. *Wynn* contended, that the conduct of the Ministerial side of the House, in attempting to force on a discussion at that late hour, after they had by their interruptions at first suspended it, and the Opposition benches had become thinned in consequence, was aiming a vital blow at the privileges of Parliament.

The House again divided on Mr. C. Buller's Motion—Ayes 103; Noes 29;—Majority 74.

Mr. Sergeant *Jackson* moved, that the debate be adjourned till five o'Clock the next day.

The *Chancellor of the Exchequer* stated, that before he suggested to the House the course which it appeared to him most expedient to recommend, he felt it but justice to the Friends around him, to the House, and to the public, that he should recall to the memory of hon. Members what had this night occurred, and should define accurately the position in which they were now placed. On a former night his hon. and Learned Friend (Mr. Blackburne) had presented a petition, alleging fraudulent and corrupt practices as existing at the late election for Poole. The petition had been presented, and this night was fixed by notice for its discussion. The question came on in the usual course. No objection whatever was raised against the discussion. A debate ensued, and it was apparently closed by the reply of his hon. and learned Friend. Subsequently, in a manner not inconsistent, it is true, with Parliamentary privilege, but at variance with general usage, and in a manner wholly at variance with Parliamentary convenience, the learned Sergeant rose to address the House after the reply. Some interruptions having taken place an adjournment was moved, and, having been negatived, the motion was in other shapes renewed. In order to show the disposition of the House to continue the discussion, the question was put that the learned Sergeant should be now heard, and those very Gentlemen who complained that interruption had been given, were those who voted that the learned Member should not be heard. Again, a proposal having been thrown out by an hon. Member opposite (Mr. Scarlett), that the resolution for a Committee should be now carried, but that to allow the naming of such Committee to take place at a future time, he and his friends had declared their perfect readiness to acquiesce in that proposition. This too had been rejected by that side of the House from which the proposal had originally come. Considering, therefore, that in a full House, at an hour not unusual, a debate had been commenced in the accustomed manner, and brought, without objection, to its ordinary close—considering also that the imputed charge of unwillingness to hear the learned Sergeant had been but increased by a motion carried that he should be heard, he could but wish that this question should go to the public in a more intelligible shape, to explain the principles acted on by both sides of the House. Above all, it should be distinctly remembered that the Member for Stamford had made the important admission that the absence of his Conservative friends was explained by themselves in conversations to him, and that they had candidly admitted it was a bad case, and that they could do no good. Such being the fact, he was willing to leave the whole in the hands of the public; and in deference to the health, however, of the Speaker, and of the time of the House, he thought the discussion had better be brought to a close.

Mr. *Wakley* contended that the conduct of the hon. Gentlemen opposite proved that they were afraid of an inquiry. If they abused any privileges they might possess in this way, his Majesty's Ministers ought to interfere and take the subject into their serious consideration.

Mr. *Wynn* thought the hon. Member for Finsbury was taking rather too high ground when he interfered with the privileges of the House. He could recollect when Mr. Fox divided the House twenty-five times in one night.

Debate adjourned.

The following is a List of the Ayes and the Noes on the first Division. The Lists of the two other Divisions were so like this that it is unnecessary to repeat them.

List of the Noes.

Adam, Sir C.
Aglionby, H. A.
Anson, G.
Attwood, T.
Baines, E.
Baldwin, Dr.
Barclay, D.
Baring, F.
Barron, H. W.
Bellew, Sir P.
Bentinck, Lord G.
Bernal, R.
Bewes, T. B.
Bish, T.
Blackburne, J.
Blake, M. J.
Bowring, Dr.
Bridgman, H.
Brocklehurst, J.
Brodie, W. B.
Buckingham, J. S.
Buller, C.
Byng, G. S.
Campbell, W.
Cavendish, G.
Cayley, E. S.
Chalmers, P.
Chichester, J.
Crawford, W. S.
Crompton, S.
D'Eyncourt, C. T.
Dillwyn, L. W.
Divett, E.
Duncombe, T.
Dundas, Hon. T.
Elphinstone, H.
Ewart, W.
Fitzsimon, C.
Gordon, R.
Grey, Sir G.
Grey, C.
Hall, B.
Hawes, B.
Hay, Sir A. L.
Heathcoat, J.
Hindley, C.
Hodges, T.
Horsman, E.
Hoskins, K.
Howard, P.
Hume, J.
Jephson, C. D. O.
Jervis, J.
Leader, J. T.
Lefevre, S.
Lennox, Lord G.
Lennox, Lord A.
Loch, J.
Lushington, S.
Macleod, R.
Marsland, H.
Maule, F.
Morpeth, Lord
Murray, J. A.
Nagle, Sir R.
O'Connell, M. J.
O'Conor Don
O'Ferrall, R. M.
O'Loghlen, Sergeant
Parker, J.
Pattison, J.
Philips, M.
Phillipps, C.
Ponsonby, W.
Potter, R.
Power, J.
Price, Sir R.
Pryme, G.
Rice, Rt. Hon. T. S.
Roche, W.
Roche, D.
Roebuck, J. A.
Rolfe, Sir R.
Ruthven, E.
Sanford, E. A.
Scholefield, J.
Scott, J.
Sheldon, E. R. C.
Smith, J.
Smith, R.
Stewart, P.
Stuart, V.
Talbot, J.
Thompson, T. P.
Thorneley, T.
Troubridge, Sir T.
Tulk, C. A.
Villiers, C.
Wakley, T.
Wallace, R.
Warburton, H.
Wason, R.
Wigney, I. N.
Williamson, Sir H.
Wilson, H.
Woulfe, Sergeant
Wrightson, W.
Wyse, T.
Young, G.

Tellers
Steuart, R.
Stanley, E. J.

List of the Ayes.

Alsager, Captain
Balfour, T.
Baring, T.
Bateson, Sir R.
Bethell, J.
Blackstone, W. S.
Borthwick, P.
Bramston, T. W.
Brotherton, J.
Buller, Sir J.
Chaplin, Colonel
Chisholm, A. W.
Eaton, R. J.
Elley, Sir J.
Fector, J. M.
Finch, G.
Forbes, W.
Forster, C. S.
Freshfield, J. W.
Hamilton, Lord
Hogg, J. W.
Hoy, J. B.
Law, Hon. C. E.
Lowther, J.
Parker, M.
Parry, Colonel
Plumptre, J. P.
Praed, W.
Pringle, A.
Rae, Sir W.
Reid, Sir J.
Scarlett, Hon. R.
Sibthorp, Colonel
Vere, Sir C.
Vescy, Hon. T.
Wyndham, W.
Wynn, W.

Tellers,
Jackson, Sergeant,
Perceval, Colonel

HOUSE OF LORDS,

Friday, February 26, 1836.

Minutes.] Bills. Read a second time:—Transfer of Aids; Exchequer Bills.

Petitions presented. By the Earl of Haddington, from the Union of Thame, for the prolongation of the time for paying for building Workhouses.—By the Earl of Carlisle, from Morpeth, for Relief from Agricultural Distress.

Orange Societies.] The *Earl of Winchilsea* said, that a resolution on the subject of Orange Lodges having been agreed to by the House of Commons, and it having appeared by the public journals of this day, that the sentiments contained in the Address to his Majesty, founded on that resolution, had received the assent of his Majesty, he wished to be informed by the noble Viscount at the head of his Majesty's Government, to what extent that resolution went, and what societies it was intended to suppress? He asked this question for the purpose of clearly satisfying his own mind; for, as a member of that society against which the resolution appeared to be expressly levelled, he was anxious to know how he should frame his conduct as to the course that he ought to pursue hereafter with respect to that society, and what advice it would be proper for him to tender to others who were also members of the same association. Did it extend to Orange Societies, as at present instituted and governed by an oath, and known by signs? [The *Duke of Cumberland,*—" There is no oath."] Well, were those signs only to be abandoned? Or was an association, established in this country for the protection of the Protestant interest, for the protection of those principles which placed his Majesty's family on the throne of these realms for the support and protection of our Protestant institutions, to be wholly suppressed? For his own part, he thought that all secret signs and pass-words in societies were much to be regretted. He greatly regretted that in such a society as he alluded to they had been permitted. But the peculiar situation in which the Protestant body was placed, especially in Ireland, afforded some mitigating circumstances for adopting such a course. He had gone over to Ireland; he had been but a very few hours there; but he confessed that he went there for the purpose of making one common cause with the oppressed Protestants of that country, and to maintain that common interest which they mutually felt in the preservation of their Protestant institutions. Certainly, the course pursued in Parliament on this occasion appeared to him to be very extraordinary. The inquiry appeared to have been confined to the Orange institution, and to that alone. But, whatever might be done with reference to the Orange Society, he would freely avow that the cause which that society was instituted to support he yet cherished at the bottom of his heart; and the course which he should take hereafter would mainly depend on the answer he received from the noble Viscount. He would, however, without hesitation say, that he would give his most sincere and cordial advice to the members of the Society to abstain from secret signs. His great wish was to uphold pure and unimpaired their Protestant institutions, and to maintain those Protestant principles to which he had always been attached, and which he would support at the expense of property or of life itself. Many of the proceedings of Government appeared to him to be calculated to sacrifice the interests of the Protestant party in Ireland. Had it not been openly avowed, within a very short space of time, by that individual who possessed such fearful power in Ireland, that he never had abandoned his project for the repeal of the Union—that, if he were disappointed in his views, he would recur to that measure—that, in fact, he only waited for an opportunity to have recourse to the best and most feasible means of attaining that object? When he saw the dreadful situation in which that country was placed, he could not avoid feeling the most painful apprehensions as to the safety of the Protestant population there. He held a letter in his hand, which he had received yesterday from Ireland, which gave the most appalling account of the state to which the Protestant clergy of Ireland were reduced. He begged leave to read an extract from that letter. He would not, for obvious reasons, quote names. The writer stated—" So-and-so was, on Sunday last, denounced in chapel, by the priest. So-and-so, who is obliged to keep a guard of police in his house, while walking with his children in his garden, received a notification that he should not long escape vengeance. So-and-so, a most respectable curate, was struck with a stone, and desperately wounded. This could not have been on account of tithe proceedings, as the individual had nothing to do with any proceeding of the kind." He could multiply such cases an hundred, nay, a thousandfold, to prove the hostility which was evinced towards the Protestant clergy. Under circumstances such as these, he should stand forward to support the Protestant institutions of Ireland. He implored his Majesty's Ministers to vindicate the supremacy of the law in Ireland; and he could assure the noble Viscount that any measure which he might introduce for that purpose should command his support and assistance. He certainly did not mean, when he spoke of the Roman Catholics of Ireland, to include the Roman Catholics of England. Upon that point he should no further encroach on the time of their Lordships. There was, however another subject on which he deemed it necessary for him to make a few observations. In his opinion the representative of the Crown in Ireland had not acted wisely, he might almost say that he had acted unconstitutionally, in removing from office individuals who were Orangemen, or who were suspected of being Orangemen.—The case to which he was about to call the attention of their Lordships was, he believed, unparalleled. He alluded to the case of Mr. Lee, who, on the fourth of December last had received a notification from the Castle of Dublin that he had been selected to fill the situation of High Sheriff of the county of Wexford; but, on the sixteenth of February, after he had gone to considerable expense, Mr. Lee was removed from the situation on the ground that he was an Orangeman, or rather that he was suspected of being an Orangeman. The fact, however, he believed was, that Mr. Lee had refused to sign a requisition for a meeting to get up a complimentary Address to the Lord Lieutenant. The noble Earl referred to the correspondence which had taken place on the subject. The first letter was the notification, on the fourth of December, 1835, of Mr. Lee's appointment to the situation of High Sheriff of the county of Wexford. The second, a letter from Mr. Lee, announcing that he had made all the necessary arrangements, and was ready to undertake the duties of the office; inquiring also when the commission would be sent down, and stating that no time was to be lost. The third letter was dated Dublin Castle, February 16th, and informed Mr. Lee that his Excellency the Lord Lieutenant, having learned, from a quarter on which he could place perfect reliance, that Mr. Lee was a member of an Orange Lodge, he felt himself obliged to annul his appointment, and to place another gentleman in his situation. The letter expressed regret that Mr. Lee had been put to any expense or inconvenience in consequence of the change. Now, from a communication which had since been received, it appeared that Mr. Lee was ready to prove that he was not at the time, or ever had been, a member of an Orange Lodge. Such proceedings were not to be borne. If Government had come to the determination that no persons holding Protestant principles should be elected to office in Ireland, in God's name let the fact be fairly avowed, but do not let gentlemen, like Mr. Lee, be insulted in this manner. He had felt it right, under the circumstances of the country, to join the Orange association. He wished that there was no such thing as party feeling, except that great party feeling which had for its object the welfare of the country. He joined the Orange institution because he believed that it would prove the salvation of Protestantism; and, if it cost him his title, his property, or his life, he would, and he stated his sentiments most distinctly, support to the last the principles on which that association was founded.

The Duke of *Cumberland* said, that from the position he held in connection with the Orange Lodges, and from the allusions which were made to him, many of which were most unjustifiable—unjustifiable and false—founded on false assumptions, and leading to the most unwarrantable inferences—he considered it his duty to make an observation or two to their Lordships. In the first place, having read the address from the other House, and his Majesty's most kind and gracious answer, the first step he took was to communicate with the officers of the Irish institution as to the best course he and they should adopt, and the opinion they unanimously entertained was that no time should be lost in recommending the Orange Society immediately to dissolve. He was sure, that as loyalty to the Throne, and devotion to the defence of the Protestantism of the empire was the sole principle of the Orange Society, all classes of Orangemen would see the wisdom of adopting his recommendation. He would say one word more in reference to the accusation against Orangemen of being bonded together by secret oaths. It was this: in the Orange institution there were no oaths, no oaths whatever. Though the societies might now be dissolved, their principles could not and would not die. While he avowed to their Lordships his entire acquiescence in the wish of his Majesty, he would support to the last the principles which Orange Societies were founded to defend.

Viscount *Melbourne* had heard with unfeigned satisfaction the statement which had been just made by the illustrious Duke. It was, however, what he had expected from one holding his Royal Highness's station. It much anticipated what he (Viscount Melbourne) had been about to say in answer to the questions which had been put to him by the noble Earl. His Majesty's Government and himself were most anxiously desirous, that they should not be called upon to take any strong measures for carrying the Resolutions of the House of Commons respecting Orange societies into effect; that they should not feel it necessary to follow up those Resolutions by any proceeding whatever; but that the general feeling which had been expressed in all quarters, and in a manner so especially honourable to them by gentlemen belonging to Orange societies, who had declared their intention to withdraw from those societies, together with the unanimous vote of the House of Commons on the subject, would combine to put an end to Orange societies, without any further interference on the part either of his Majesty's Government or of Parliament. He owned, however, that he had heard the speech of the noble Earl with much concern. He trusted, that when the noble Earl had devoted more consideration to the subject, he would feel the propriety of imitating the example of the Illustrious Duke, and of following the advice which the Illustrious Duke had so clearly and distinctly given. If that should be (as he trusted) the course which the noble Earl should eventually follow, he should of all men be most anxious to bury all the past in oblivion, and to refrain from all further observation, or from the further expression of difference of opinion on so painful a subject. As to the question which the noble Earl had put to him, with respect to the extent of the Resolutions which had been passed by the House of Commons, all that he could do was to refer to the terms of the Resolutions itself which were these: — "That a humble address be presented to his Majesty, praying that his Majesty will be graciously pleased to take such measures as to his Majesty may seem advisable for the effectual discouragement of Orange-lodges——." That passage distinctly pointed to those societies, as at present constituted. The Resolution proceeded:—"and generally of all political societies, excluding persons of a different religious faith, using secret signs and symbols, and acting by means of associated branches." That part of the resolution was intended to prevent evasion by the assumption of some other name; and of course every other society answering to the description must feel itself comprehended in the scope and tendency of the resolution. He must again, therefore, confess his anxious hope that what had been done would be found sufficient for the attainment of the object in view; and that neither Government nor Parliament would be called upon to take any further measure. He gave the noble Earl credit for the sincerity with which the noble Earl believed the principles which he had avowed, and for the resolution with which he had declared that he would maintain those principles; although he thought that the noble Earl had been betrayed into a little exaggeration when he talked of his readiness to sacrifice his title and his life; for neither the one nor the other was in the least danger. But although he gave the noble Earl credit for sincerity, he could not give him credit for wisdom and prudence with respect to the course which he had stated it to be his intention to pursue. He thought the noble Earl would find the Protestant religion safer and stronger without the aid of any of these societies. And when the noble Earl called on his Majesty's Government to maintain the supremacy of the law, all that he could say in answer was, that he knew of no instance in which the law had not been carried into effect for the protection of all classes of his Majesty's subjects. He was not prepared to enter into the case which had been alluded to by the noble Earl; but he understood that the appointment of Mr. Lee to the shrievalty of the county of Wexford had not been confirmed, because it was believed that that gentleman belonged to an Orange society. The principle on which his Majesty's Government in Ireland had acted was, of not appointing to any office —and more especially to any office of the magistracy or the police—any one who, belonging to a secret society, was bound to pay obedience to another power besides that of the State, and who was identified in his feelings and wishes with only a portion of the inhabitants of the country.

The Earl of *Winchilsea* said, that Mr. Lee never was a member of the Orange, or any other society. He had refused to sign an address requiring the sheriff to call a county meeting to address the Lord-lieutenant, and that was the reason for his having been used in this manner which he (the Earl of Winchilsea) had described. As to what had fallen from the noble Viscount with reference to himself, he must be allowed to say, that he should form his own judgment as to the course which he should pursue with a view to the best interests of his country. He was not a party man; and his only object was to protect the church to which he belonged. He hoped that the advice which had been given by the illustrious Duke would be followed, and that the Orange societies would be dissolved; although it was notorious that a conspiracy existed in Ireland for the subversion of the Protestant church and the Protestant government.

The Marquess of *Londonderry* should not have troubled their Lordships but for what had fallen from the noble Viscount. The whole of the proceedings of the Lord Lieutenant of Ireland, since he had been in that country, had been solely and exclusively directed to uphold the Catholic party against the Protestant party. He said that advisedly. All the appointments in Ireland, within that period, had been decidedly influenced, by one individual, who is a Catholic. This partiality was going forward in every part of the country. If the noble Viscount would act upon his declaration, that there should be a fair and honest upholding of Protestant as well as of Catholic interests, he should have his firm and cordial support upon every measure which he might bring forward with such an object. But the fact was, and no one connected with Ireland could deny it, that there was one universal degradation to which the Protestants of Ireland were at present subject; and unless the manner in which the Government of Ireland had been lately conducted were changed, the most fatal consequences must ensue. He could not but regret that the noble individual, whom privately he must ever respect, in consequence of his long knowledge of him, should have been officially connected with one of the most monstrous, he had almost said one of the most unjustifiable, acts that had ever been done by any individual who had held the station in Ireland now occupied by the noble Lord. That that noble Lord should entertain a person at his table who had been recently making speeches so abominable —reviling royalty on the one side, and treating their Lordships' House with derision on the other—that he should have treated that person as a guest at his table; that he should have invited him to a royal feast (for a royal feast it was), and that such a circumstance should have been passed over by the first Minister of the Crown, without having submitted it to their Lordships' attention, or without having recalled that Lord Lieutenant; and that Ireland should have been witness to such a degradation, and to such reprehensible conduct, was, he must say, most monstrous. The circumstance to which he had adverted ought to have been visited with the severest censure; for it certainly was one of the most disgraceful acts ever performed by a man in the situation of the noble Lord at the head of the Government of Ireland, to treat with hospitality an individual just warm from the aspersions which he had cast upon the Crown and upon the upper House of Parliament, and whose conduct ought to have excited nothing but disgust and indignation. He hoped his noble Friend near him would follow up the statement which he had made respecting the appointment to the office of Sheriff of Wexford, by moving for papers illustrative of the fact that the appointment of Mr. Lee to the office had not been confirmed because that Gentleman would not sign an address to the Lord-lieutenant. The Lord-lieutenant had made a tour throughout Ireland; amongst the entertainments which were given for him, was a kind of Radical breakfast at Belfast, at which not a single gentleman of Conservative politics—he might add not a loyal man—of all those who belonged to the county in which it took place was present, with perhaps two or three exceptions, the cause of whose presence he should explain. One of the two exceptions to which he had alluded was a noble Friend of his, who was certainly a staunch Conservative, but whose attendance at this breakfast was accounted for by the fact that the Lord Lieutenant, while he continued in that part of the country, stopped at his house. The other Conservative was a Protestant clergyman, whom the Lord Lieutenant had made his chaplain. These constituted the whole of the Conservatives who attended that entertainment. What happened six weeks or two months after the departure of the Lord Lieutenant? The Protestant Conservatives had a meeting in the same place, at which no less than eight hundred of the Protestant Conservatives of Ireland were present, not one of whom had gone near the Lord Lieutenant's breakfast; and the property of these gentlemen who had thus assembled, and who advocated principles diametrically opposed to those which the noble Viscount attempted to promulgate in Ireland, was estimated at 400,000*l.* a-year. The noble Viscount smiled but he could tell the noble Viscount that these facts told heavily against the noble Viscount's Lieutenant, or he should rather say, against the Lord-Lieutenant of the hon. and learned Member for Dublin, which could not be controverted. He had stated circumstances which the noble

Viscount could not deny; he made a charge of misconduct which he defied the noble Viscount to defend. When the noble Viscount acted agreeably to his professions, he should be prepared to bury in oblivion all that had passed; but so long as Catholic exhibitions were excused and patronised by the Government of Ireland; so long as Catholics were appointed to all the offices in the gift of that Government, and the Conservative Assistant Barristers, who had honestly done their duty, were displaced in order to confer these situations on Catholic Barristers; so long, he repeated, as this course was continued (which up to the present hour had been pursued), it was unnecessary for him to observe, in conformity with the expression so often used—that the power behind the Throne was greater than the Throne itself—there was a power behind the Government of the noble Viscount stronger than that Government itself. Whilst this system was suffered to exist he would treat the words of the noble Viscount as the idle wind; but when the noble Viscount's conduct and that of the Government was changed, he would be willing to accord to the principles which the noble Viscount avowed their due estimation.

Subject dropped.

HOUSE OF COMMONS,

Friday, February 26, 1836.

MINUTES.] Petitions presented. By Mr. HUME, from Uxbridge, in favour of Mr. BUCKINGHAM's Claims.

ST. PANCRAS PAVING BILL.] Sir S. Whalley moved the second reading of the St. Pancras Paving Bill.

Mr. *Tooke* rose to move, as an amendment, that "six months" be substituted for the word "now." The Bill purported to have the effect of consolidating the Boards; it would have no such effect. On the contrary, it would have the effect of placing the Government of the parish, as regarded the pavements, in the hands of persons who were not calculated, either by their knowledge or property, to give confidence to the parish. The persons who urged forward this Bill had promoted a species of civil war among themselves; and they had endeavoured to excite the like feeling among the inhabitants generally. The parties had not the confidence of the inhabitants; on the contrary, nine-tenths of the property and occupiers of the parish were decidedly against the Bill.

Mr. *Hume* strongly supported the Bill, and expressed his astonishment that his hon. Friend, who was once so decided a Reformer, should resist this Bill, and on grounds that used to be adopted by all those who were against salutary reforms, and all measures calculated to place in the hands of the people the management of their own affairs. As to the statements that had been made against the Bill, he must take the liberty of saying that there was scarcely one of them that was consistent with the truth. It would be satisfactory to know, more explicitly, what became of the money that was raised. Owing to the division of trusts, there were many places wholly without lights, though though they were paid for; what became of the money? At present there were nineteen trusts, and, of course, nineteen lawyers and nineteen clerks attendant thereupon, and 1,100 Commissioners. Surely benefit and saving must result from the consolidation of these several Boards, &c. As to the civil war that had been mentioned, that would be put an end to at the next election. The people at present had no control over the Boards. The expense of the Boards was 6,000*l.*; one-fourth would be sufficient. He hoped that the House would allow the Bill to be read a second time; in the Committee, any matters of detail that were deemed objectionable could be corrected. He most cordially seconded the second reading.

Mr. *Wilks* contended that the contemplated change would be attended with flagrant injustice, and referred to the failure of two former attempts of these parties to obtain the Bill now before the House. The cost of those experiments had been most improperly taken by the vestry out of the poor-rates. He was sure that the affairs of the parish could not be better conducted than by the Boards as at present constituted, and he hoped that this Bill would be thrown out by such a majority as to deter the parties promoting it from again annoying the House by a fresh application.

Sir *S. Whalley* said, that the consolidation of the Boards must necessarily lead to a diminution of expense, and a saving of the parish money. While the measure would give the people, which they had not at present, a control over their own affairs, The House divided on the Motion for the second reading—Ayes 133; Noes 127; Majority 6.

List of the AYES.

Aglionby, H. A.
Ball, N.
Bagshaw, J.
Baines, E.
Barnard, E. G.
Beauclerk, Major
Bellew, R.
Benett, J.
Bentinck, Lord G.
Biddulph, R.
Bish, T.
Blackburne, J. I.
Bodkin, J.
Bowes, J.
Bowring, Dr.
Brady, D. C.
Bridgeman, R.
Brotherton, J.
Buller, C.
Butler, Colonel
Callaghan, D.
Campbell, W.
Cayley, E.
Chalmers, P.
Chichester, J.
Childers, —
Clay, W.
Codrington, Sir E.
Conyngham, Lord A.
Crawford, W. S.
Curteis, H. B.
Dillwyn, L. W.
Divett, E.
Duncombe, T.
Dundas, J.
Elphinstone, H.
Evans, G.
Ewart, W.
Fergus, J.
Finn, W. F.
Fitzsimon, N.
Gaskell, J. M.
Gillon, W. D.
Gisborne, T.
Grattan, H.
Grey, Sir G.
Guest, J. J.
Grote, G.
Harland, W. C.
Harvey, D. W.
Hawes, B.
Hawkins, J. H.
Hay, Sir A. L.
Hindley, C.
Hodges, T.
Hoskins, K.
Humphery, J.
Hutt, W.
Jervis, J.
Kemp, T. R.
Labouchere, H.
Lambton, H.
Langton, W. G.
Leader, J. T.
Lennox, Lord G.
Lennox, Lord A.
Lister, E. C.
Loch, J.
Lushington, C.
Mackenzie, J. A. S.
Mangles, J.
Marshall, W.
Marsland, H.
Maule, F.
Morrison, J.
Murray, Rt. Hon. J. A.
O'Connell, D.
O'Connell, J.
O'Connell, Maurice
O'Connell, M. J.
O'Connell, Morgan
O'Conor, Don
Ord, W. H.
Ord, W.
Oswald, J.
Parker, J.
Parrott, J.
Pechell, Captain
Pendarves, E.
Philips, G.
Potter, R.
Poulter, J. S.
Poyntz, W. S.
Price, Sir R.
Roche, W.
Roche, D.
Ruthven, E. S.
Ruthven, E.
Sanford, E. A.
Scholefield, J.
Seale, Colonel
Seymour, Lord
Sheil, R. L.
Stanley, E.
Steuart, R.
Stewart, P.
Strickland, Sir G.
Strutt, E.
Talbot, J.
Tancred, H. W.
Thomson, P. B.
Thompson, W.
Thompson, T. P.
Thornley, T.
Trelawney, Sir W.
Tulk, C. A.
Vivian, J. H.
Wakley, T.
Walker, C.
Walker, R.
Wallace, R.
Warburton, H.
Ward, H. G.
Wason, R.
White, S.
Williams, W.
Williams, A.
Winnington, Sir T.
Winnington, H.
Wood, M.
Wrottesley, Sir J.

TELLERS.
Hume, J.
Whalley, Sir S.

List of the NOES.

Agnew, Sir A.
Alsager, Captain
Arbuthnot, Hon. H.
Archdall, M.
Bagot, Hon. W.
Barclay, D.
Barclay, C.
Baring, F.
Baring, T.
Beckett, Sir J.
Bell, M.
Blackstone, W. S.
Bonham, F. R.
Borthwick, P.
Bradshaw, J.
Bramston, T. W.
Brocklehurst, J.
Bruce, C.
Brudenell, Lord
Buller, Sir J.
Burrell, Sir C.
Buxton, T. F.
Calcraft, J. H.
Campbell, Sir H. P.
Chaplin, T.
Chapman, A.
Chisholm, A.
Clerk, Sir G.
Clive, Hon. R.
Conolly, Colonel
Coote, Sir C.
Crawford, W.
Crewe, Sir G.
Damer, Hon. G. D.
Dottin, A. R.
Dugdale, W. S.
Duncombe, A.
Eastnor, Lord
Egerton, W.
Egerton, Lord F.
Elley, Sir J.
Elwes, J. P.
Entwisle, J.
Fector, J. M.
Feilden, W.
Fielden, J.
Forbes, W.
Forester, G. C. W.
Fremantle, Sir T.
Gordon, R.
Goring, H. D.
Goulburn, Rt. Hon. H.
Graham, Sir J.
Greene, T. G.
Halford, H.
Hardinge, Sir H.
Hardy, J.
Hayes, Sir E.
Henniker, Lord
Herbert, Hon. S.
Hogg, J. W.
Hope, H.
Houldsworth, T.
Hughes, W. Hughes
Ingham, R.
Inglis, Sir R.
Irton, S.
Kearsley, H. J.
Kerrison, Sir E.
Knatchbull, Sir E.
Knight, H. G.
Knightley, Sir C.
Law, Hon. C. E.
Lawson, A.
Lees, J. F.
Lincoln, Earl of
Longfield, R.
Lucas, E.
Lygon, Colonel
Mackinnon, T.
Marsland, T.
Maunsell, T. P.
Miles, W.
Mosley, Sir O.
Nicholl, J.
Norreys, Lord
Packe, C. W.
Palmer, R.
Patten, J. W.
Peel, W.
Perceval, Colonel
Pollington, Lord
Powell, Colonel W.
Price, S.
Price, R.
Pringle, A.
Pusey, P.
Rae, Sir W.
Reid, Sir J. R.
Ridley, Sir M.
Ross, C.
Rushbrooke, R.
Russell, C.
Sandon, Lord
Scott, Sir E.
Sibthorp, Colonel
Sinclair, Sir G.
Smyth, Sir H.
Somerset, Lord E.
Somerset, Lord G.
Stanley, Lord
Stanley, E.
Stormont, Viscount
Surrey, Earl of
Thomas, H.
Trench, Sir F.
Trevor, A.
Trevor, R.
Verner, Colonel
Vesey, Hon. T.

Vyvyan, Sir R.
Welby, G. E.
Weyland, R.
Wilbraham, Hon. R.
Wortley, Hon. J.
Wyndham, W.
Young, J.

TELLERS.
Tooke, W.
Wilks, J.

Bill read a second time.

Poor Laws—Jane Champion's Case.] Captain *Pechell*, in presenting the Petition of which he had given notice, claimed the indulgence of the House, as the case was one that deserved the most serious consideration, being from an unfortunate woman, named Jane Champion, who had been committed to prison by the Magistrates of Seaford for not supporting the children of her husband who had been transported for seven years, leaving his wife unable to provide for them. The Magistrates held that as her husband was civilly dead, she stood in the position of a widow, and was liable to support her family. In so peculiarly novel and distressing a case, he begged at once to state that he by no means intended to cast censure on the Magistrates (who were not Justices of the Peace for the county of Sussex, but Magistrates of a cinque port) who, he believed, had acted to the best of their judgment, and as the law was laid down to them. He must also express his approbation of the manner in which the case had been gone into when he laid it before the Secretary of State and the Board of Poor-law Commissioners, who were complained of in the petition. The petitioner, Jane Champion, was living with her husband at Seaford when he was convicted of receiving stolen goods and sentenced to seven years' transportation, leaving his wife and six young children totally unprovided for. The parish, consequently, gave the necessary allowance, which, however, was discontinued on the Poor-law Amendment Bill coming into operation, and the six children were taken into the workhouse. The mother went to Brighton, where she was obtaining a bare subsistence for herself, when she was taken up on a warrant, signed by the Rev. J. Carnagie, a Magistrate at Seaford, as an idle and disorderly person, and was ordered into the workhouse, on refusing to enter which, she was committed under the Vagrant Act to the House of Correction for twenty-one days. Her period of punishment having expired she returned to Brighton, there again to sustain herself, but still unable to do any thing towards the support of the children of her husband. She was, however, shortly afterwards taken up again on a warrant signed by the same cinque port Magistrate, and brought before the Bench at Seaford, where the Magistrates decided as before that her husband being civilly dead she was liable, as a widow, for the maintenance of her children; and in this opinion they were backed by the authority of the Poor-law Commissioners who considered that her husband being transported for seven years, the wife had lost her privilege of coverture, and that, unless she went into the workhouse to assist in supporting her children, or would take them away, she was liable to be convicted and punished as a vagrant. He begged to observe, that the Vagrant Act required that depositions should be made as to the ability of the petitioner to maintain her children, which in this case had not been done; and moreover, this woman was deprived of her husband, who went to sea against his consent, and the parish took the children into the workhouse, leaving the mother to provide for herself, which she was ready and willing to do. It was also to be observed, that the law not permitting her to marry again, deprived her of the advantage of a second husband, who might be found to provide for the children; and hence the danger of an immoral act being committed, which in his opinion the state of the law actually promotes. He, therefore, called on the hon. Baronet, the Member for Wigton, to support the petition of this woman, and thereby prevent the necessity of her seeking a temporary companion [*loud and continued laughter*] who would undertake the care of her till the return of her real husband from New South Wales. And here was the anomaly in the law; for the Board of Poor-law Commissioners and the Magistrates of Seaford, declared that the absence of the transported husband for seven years, renders the wife liable, as a widow, to the support of the children of her husband, and yet this woman cannot marry. That was having one law for the Poor-law Board, and another for the Ecclesiastical Court. He (Captain Pechell) had given this Petition some attention, and he had reason to believe no case could be quoted where a decision in point had been come to. If he was wrong some learned Gentleman would correct him; but believing that no case could be cited, he thought that this woman, who could neither sue nor be sued, nor obtain redress at law, for the suffering she had endured, and was still likely to endure, was entitled to the benefit of the nice point of law, under the severe interpretation of which she had been punished. He had been told in that House, that the Lord Chief Baron of the Exchequer was more likely to form a correct opinion on a point of law than a Captain in the Royal Navy; but he replied then as he maintained now, that on principles of justice and equity, he considered that a Captain in the Navy could give as correct and honest an opinion as any lawyer, and he confidently appealed to the law-officers of the Crown to declare the real state of the law as regarded the unfortunate petitioner. The hon. and gallant Member read the prayer of the petition, which entreated the House to give such directions to the Poor-law Commissioners, or to the Magistrates acting under them, as would prevent her from being again incarcerated in the House of Correction; and in moving that the petition be brought up, he begged to remind the House, that Mr. Justice Lawrence had laid it down, in a case of man and wife, that the wife was not answerable for the husband's breach of duty, and that though morally liable, yet in law she could not be said to be guilty. He, therefore, trusted that the Government would give the petition that consideration which he believed they were always ready to afford in such cases.

Mr. *Fox Maule* said, that it appeared to him that the case which the hon. and gallant Officer had brought before the House was one which it would have been much more expedient to have referred to the consideration of that department of the Government to which he (Mr. Fox Maule) belonged; for although he was one of those who would never interpose to prevent an appeal to that House, where wrong had been endured, or injustice inflicted, he, at all times, thought it tended much to the establishment of a very inconvenient as well as dangerous precedent, that the time of the House should be taken up, when there was another tribunal to which the party complaining might appeal. He believed that the whole of the difficulty in the case had arisen out of an error in the first order issued by the Magistrates. In that order, instead of "Mrs. Champion and children," the word "and" was accidently omitted, and thus the children only were admitted to the poor-house. But without endeavouring to enter into the particulars of the case at that moment, he would merely assure the gallant Officer that if he would put the petition in his hands, he would take every step to have the matter fully inquired into, and would take care that all the protection of the law should be extended to the petitioner.

Major *Beauclerk* thought that the time of the House was never lost in inquiring into cases where the liberty of the subject had been trespassed upon. He certainly could not help regarding the Poor-laws Amendment Act, in its present shape, as a most atrocious law, and one which called loudly upon the Legislature for amelioration and improvement. In the present case, it appeared that the husband was transported for seven years. That was no fault in the wife. Yet, under this Act, the Magistrates, it would seem, had it in their power to punish the wife for the crime of the husband. This might be law, but it was not justice. He thought that the Poor-law Commissioners, when they found the law operating in this obviously unjust manner, ought to come forward themselves to suggest improvements. It ought to be the wish and endeavour of all parties to make this new law operate usefully and beneficially, instead of harshly and oppressively.

Mr. *Curteis* hoped and trusted, that Government would immediately take the matter into their consideration. It was the bounden duty of Ministers not to lose a single hour in obtaining the highest legal opinion, as to whether the Poor-law Commissioners were right or wrong in the committal of this poor woman as an idle and disorderly person. It would be most satisfactory to him, as a country gentleman, not having had the benefit of a legal education, to know what was the opinion of the law-officers of the Crown upon the point.

Captain *Pechell* would rest perfectly satisfied under the assurance that the subject should be taken into the immediate consideration of the Government, and that the opinions of the law-officers should be taken upon it.

Petition to lie on the Table.

ORANGE SOCIETIES.] Mr. *Henry Maxwell:* I am directed by his royal Highness the Duke of Cumberland, to state that in consequence of his Majesty's wish expressed in answer to the Address of the House of Commons, his royal Highness has taken steps, in concert with all the leading members of the Orange Society now in London, to recommend to them the dissolution of that Society. And I am further directed by his royal Highness to state that it is his intention immediately to take steps for the dissolution of the Orange Society of Great Britain and the colonies.

Lord *John Russell:* I also must state to the House, that I had this morning the honour to transmit to his royal Highness the Duke of Cumberland a copy of the votes of this House, containing the Address of the Commons to his Majesty on the subject of Orange-lodges, and also the gracious answer of his Majesty to that Address, and I have had the honour to receive from his Royal Highness the following reply:

"St. James's Palace, Feb. 26, 1836.

"MY LORD—I have received your Lordship's letter with the enclosed printed copies of the resolutions of the House of Commons containing an address on the subject of Orange lodges, and other similar societies, together with his Majesty's most gracious answer. Before I had received your Lordship's communication I had already taken steps, in conjunction with several official and distinguished members of the Loyal Orange Institution in Ireland, to recommend its immediate dissolution, in conformity with the loyal principles of that institution. I have only to add I shall take immediate steps to dissolve the Loyal Orange Institution in Great Britain.

"I have the honour to be, yours sincerely,

"ERNEST."

"To the right hon. Lord John Russell."

TIMBER DUTIES.] On the Question that the House resolve itself into a Committee of Supply,

Mr. Alderman *Thompson* wished to take that opportunity of correcting several statements which had been made by the right hon. Gentleman (Mr. P. Thomson) the President of the Board of Trade, with respect to what he had stated at a public meeting upon the subject of the Timber Duties. The right hon. Gentleman had stated during his absence, that he should have wished to put a question to him had he been present—namely, whether a report he the President of the Board of Trade, had read in the newspapers of a speech which he (Mr. Alderman Thompson) was supposed to have made at a meeting of the Ship Owners' Society of London were correct or not; it being stated in that speech that he (Mr. Alderman Thompson) had charged the right hon. Gentleman with the intention of surreptitiously passing the Bill through the House for the purpose of changing the duties on timber. What he (Mr. Alderman Thompson) stated on that point was this:—that the shipping interest, the colonial interest, and the other interests of the country connected with the timber trade, were placed in a most disadvantageous position from the circumstance of a noble Lord, the President of the Council, having stated in another place, that it was not at present the intention of the Government to propose any alteration in the timber-duties, whilst his right hon. Friend (Mr. Poulett Thomson) stated on the same evening in that House, that it was the intention of the Government to make certain changes in the duties, which at the proper time it would be his duty officially to announce. Now, what he (Mr. Alderman Thompson) stated was this, that he considered the practice which of late years had been adopted, of introducing measures at a late period of the Session greatly affecting the commercial interests of the country, as regarded the reduction or alteration of duties on articles of merchandize—a very dangerous and unwise practice. And he further stated, that if such a practice were adopted with regard to the timber-duties, he thought it would not be a fair course of proceeding towards those great and important interests which were concerned in the timber trade. But he begged distinctly to state, that he never said, nor ever intended to say, anything that could by possibility give pain to the feelings of his right hon. Friend, for whom, in spite of some strong political differences, he had a very sincere personal regard.

Mr. *Poulett Thomson* was glad to hear from his hon. Friend, that he had not, at the meeting referred to, made use of any language calculated to impair that friendship which he was proud existed between them. His hon. Friend being now present, he would shortly restate what he had stated last evening, namely, that there was no discrepancy whatever between what had been stated by his noble Friend in another place, and what he himself had stated in his place in that House—that it was not the intention of Government to introduce any measure on the subject of these duties at so early a period of the Session. Any Bill upon the subject must be founded upon the Report of the Committee, and the Report of the Committee it would be impossible to act upon until 1837. He could assure his hon. Friend, that whenever the Bill was prepared, ample time should be given for considering it in the House.

Malt-Tax.] Mr. *Wodehouse* rose, pursuant to notice, to ask the right hon. Gentleman the Chancellor of the Exchequer what information he had to give to the House respecting the memorials that were submitted to the Treasury in the course of last year from the maltsters of England and Wales; first, concerning the injury sustained by them from the alteration in the allowance of seventeen and a half per cent, in lieu of twenty per cent, under the operation of the Act of 11 George 4th, referred to in the 15th Report of the Commissioners of Excise Inquiry, page 21, appendix No. 44, No. 49; and also with respect to the prevalence of illicit malting in Ireland, referred to in the same Report, page 55.

The *Chancellor of the Exchequer* stated, that on receiving the memorials to which the hon. Gentleman referred, he felt it to be his duty at once to direct an investigation into the facts of the allegations contained in them. Up to the year 1830, he found that the duty on malt was liable to an allowance or reduction of twenty per cent, but while this allowance was made on the one hand, the maltsters on the other were subject to very severe and very inconvenient excise restrictions. In the year 1830, the maltsters themselves proposed that if Government would relieve them from those severe restrictions, that the allowance of twenty per cent should be reduced to seventeen and a-half per cent; and in consequence an arrangement, based upon these conditions, was carried into effect. He should be prepared on any future occasion, when it might be more convenient to the House, to state what the reasons were which induced him to think that a compliance with the request set forth in the memorial would not be expedient; but it was right that he should lose no time in stating that the effect of the request contained in the memorial, if it were conceded, would be to afford a reduction in the tax of no more than one penny a bushel, a reduction affording little or no benefit to individuals, whilst the effect of it on the revenue would be to cause a reduction of not less than 164,000*l.* a year. With respect to the second part of the hon. Gentleman's question, namely, the prevalence of illicit malting in Ireland, he could only state that the best attention of the Government was directed to the subject, and that if the present force in that country were not found sufficient to put a stop to the practice, a Bill would be brought into Parliament for the purpose of arming the Government with additional powers.

Poole Borough.] Mr. J. Blackburne moved that the adjourned debate on the borough of Poole be resumed.

Lord *John Russell* said, if it were the disposition of the House that the debate which was interrupted at four o'clock this morning should be resumed, he should be quite ready to acquiesce.

Mr. *Maclean* said, that as the Order of the Day for the House resolving itself into a Committee had been moved, he should certainly persevere in bringing forward his motion on the subject of Spain.

Mr. *Thomas Duncombe* said, if the House had the power of deciding which motion should have precedence, he should vote for the continuation of the debate which was adjourned at four o'clock this morning upon the distinct understanding that it should be resumed again at five o'clock this day. If the hon. and learned Member's motion on Foreign Affairs should in consequence be further postponed, he must blame hon. Members on the Ministerial side of the House; he must blame the right hon. Gentleman, the Member for Montgomeryshire (Mr. C. Wynn), and his friends, for their frivolous and vexatious opposition at four o'clock this morning. If those Gentlemen were so exceedingly fond of divisions, he would favour them with one upon this occasion, for he would certainly divide the House on the question which motion should have precedence.

Mr. *Hawes* said, that no one assertion was more often made use of by Gentlemen opposite, against proceeding farther with the debate at four o'clock this morning, than that the question at issue was a great constitutional question. Now he apprehended, if hon. Gentlemen opposite were sincere in that declaration, they ought not for one moment to hesitate giving precedence to the hon. and learned Member for Huddersfield.

Mr. *Williams Wynn* must, in the first place, tell the hon. Member for Finsbury that it was not his motion that adjourned the debate. He did not make any motion. He did unquestionably support the adjournment. But he supported it from the spirit which he saw manifested on the Ministerial side, to press a question which appeared to him to be establishing a most dangerous precedent, and calculated to lead to the most tyrannical and oppressive proceedings on the part of a predominant party in that House—whether Whig or Tory; and because he believed that the consequences of the motion made last night would be more fatal than any he had ever known brought forward. He was told, that as it was a great constitutional question he ought to be anxious that it should be brought forward in preference to anything else. He admitted it to be a great constitutional question; but that was no reason why he should be anxious it should be brought forward before any other proceeding, when he resisted it as a most dangerous motion, and one which ought not to be brought forward at all. The motion before the House was, that the Order of the Day be read for the House to resolve itself into a Committee of Supply. That motion must be disposed of before the House could proceed further.

Lord *John Russell* said, he had been misunderstood. He moved the Order of the Day for the House to resolve itself into a Committee, that being the usual course; but when the hon. and learned Member for Huddersfield (Mr. Blackburne) moved the resumption of the debate on the Poole case, he had expressed a wish to give way. What the right hon. Gentleman had just said relating to the importance of the question, rather convinced him (Lord John Russell) the more, that the House had better come to a decision upon that question first, while the House was well attended. He therefore asked leave to withdraw his motion.

Mr. *Williams Wynn* apprehended, that a motion having been once put it could not be withdrawn without every single Member agreeing to it.

It was finally settled that the hon. Member for Oxford should go on with his motion relative to the affairs of Spain.

Affairs of Spain.] Mr. *Maclean* said, that as his motion was fixed to come on upon the question of going into a Committee of Supply, upon that question being put, it would have been most inconvenient to postpone it, and he might have lost the opportunity ever to bring it forward. He was deeply impressed with the importance of the question he was about to submit to the House; so much so, indeed, that he should imagine a stranger, coming down to the House, would be astonished to find any hesitation as to which should be first considered,—this question, or one respecting the corporation of Poole. He hoped the House would give him credit for sincerity, when he stated that no one could be more sensible of his want of ability to do justice to this great question than the individual who was then addressing them; but when he found that the course of policy which had been pursued on that question by his Majesty's Government was one which, in his opinion, ought carefully to have been avoided, contravening, as it did, all former policy observed by this country with regard to any interference with foreign nations; when he found that the noble Lord, the Secretary of State for Foreign Affairs, had taken a course not warranted by any precedent in the history of this country; when he found that the consequences of the struggle now going on in the northern provinces of Spain, were likely to implicate the honour of this country, he did hope that the House would think this was a question that immediately called for their attention. But, without insisting further on the importance of the subject, he could not avoid, before stating his own views, adverting to what passed on a former occasion—he meant the debate which took place on the motion of his noble Friend the Member for Hertford (Lord Mahon), during the last Session; and he alluded to that debate because in it he found that the noble Lord the Secretary of State for Foreign Affairs did develope to the House the reasons for the policy pursued by him, and did state the arguments which he thought most proper to defend the course which the Government had pursued. The noble Lord stated upon that occasion to the House, that the force which was about to be levied and sent out of this country, by the suspension of the Foreign Enlistment Bill, through the direct interference of the Crown of this kingdom, and through the medium of an order in council, was for the purpose of putting down an insurrection, consisting of 11,000 or 12,000 persons only, in one of the remote and obscure provinces in the northern part of Spain. Now, if it was true that those troops were levied for the purpose of putting down an insurrection consisting merely of that numerical force, he would ask the noble Lord what could have then been the vigour or power of the Spanish Monarchy, which called upon this country to do that which we had abstained from doing ever since the year 1688, for the purpose of putting down an insurrection of 11,000 or 12,000 men, in an obscure province of the Peninsula? What, too, had been the result of our interference? Either the communication of the noble Lord was correct, or it was not. If it was correct that the insurrection included only 11,000 or 12,000 persons, and was confined to one obscure province how would the noble Lord account for that insurrection not having been suppressed by Spain herself, and having now attained such accession and vigour as to be able to defy all the energy of the Spanish Government in combination with the troops sent out from this country? From the official returns it appeared that the force of Don Carlos had been greatly underrated. At the beginning of this year, the troops of Don Carlos amounted to very nearly 60,000 individuals. So that between the period when these troops went out—between the period when the noble Lord spoke on this subject—between the period when General Evans landed at Bilboa, up to the beginning of 1836, a space of five months, the rebellion in those provinces had increased from 11,000 or 12,000 men to (according to the official returns) 57,000 men, and the insurrection had extended itself from Biscay to Navarre, Guipuscoa, Aragon, and Catalonia. Thus it appeared that the troops that had been sent out were insufficient to perform the work required of them; and the work which they had done had not, he believed, been such as was expected by the noble Lord; for they had utterly failed in their undertaking. Now the noble Lord on that occasion acknowledged that he was following no precedent; that he had, in the prodigality of his strength, thrown over all rule which had hitherto guided the statesmen of this country. But he would refer at once to the *ipsissima verba* of the noble Lord. His noble Friend (Lord Mahon) had said that there was no precedent for the course pursued. The noble Lord, the Secretary of State for Foreign Affairs, then said, "He would not dispute with the noble Lord as to that point; he wished to found the conduct which the British Government should pursue upon the circumstances of the case, and upon the expediency of the time. If that Government were wrong in what they had done, twenty precedents in their favour would not make that case of wrong a case of right; if they were right, as he contended they were, it was perfectly indifferent whether they had been following a precedent in the course which they had taken, or boldly establishing a precedent for themselves and for others, in time to come, satisfied that, when similar contingencies arose, their example would be followed if they had been right, and avoided if they had been wrong. He therefore maintained that that case was not one of precedent, but a case of acting right or wrong."* He must hold that the reasoning of the noble Lord did not present much novelty, for every question must be a question of right or wrong, and must be tested, not by its success—he believed the noble Lord would not say that that was the best test of the soundness of modern policy—but by its wisdom. But when the noble Lord threw over all precedent, and chose to establish a precedent of his own, stating that he would not follow precedent, because the case was either right or wrong, he (Mr. Maclean) could only suggest one ground by which this measure could be tested—namely, by its success or failure. An hon. Gentleman, however, who followed in that debate, and who supported the noble Lord, did not think the case so strong as to avoid some allusion being made to the course which had been formerly pursued in similar cases. The hon. Member for Mary-le-bone (Mr. H. Bulwer) stated, that in the time of Queen Elizabeth there was a precedent for the course which the noble Lord had pursued. But the case of Queen Elizabeth was perfectly distinct from this. She sent troops, she lent money, she guaranteed the payment of a certain sum to the Dutch (the Dutch having previously offered her the throne, which she generously declined), in order to oppose the intrigues of Don John of Austria in the Netherlands, who was intriguing for a marriage with the Queen of Scots, that threatened the subversion of Elizabeth's own Government. It was, therefore, time for her to interfere, and which she did with sagacity and with policy in the affairs of the Netherlands. Hume described her conduct in the following words:—"This Princess, though magnanimous, had never entertained the ambition of making conquests, or gaining new acquisitions; and the whole purpose of her vigilant and active politics was to maintain, by the most frugal and cautious expedients, the tranquillity of her own dominions. An open war with the Spanish monarchy was the apparent consequence of her accepting the dominion of these provinces, and after taking the inhabitants under her protection, she could never afterwards, in honour, abandon them, but, however desperate their defence might become, she must embrace it, even further than her convenience or interests would permit. Don John, of Austria, endowed with a lofty genius, had opened his mind to vast undertakings; and looking much beyond the conquest of the revolted provinces, had projected to espouse the Queen of Scots, and to acquire, in her right, the dominion of the British kingdoms. Elizabeth, aware of his intentions, and seeing now, from a union of all the provinces, a fair prospect of their making a long and vigorous defence against Spain, no longer scrupled to embrace the protection of their liberties, which seemed so intimately connected with her own safety. After sending them a supply of money, about 20,000*l.*, for the immediate pay of their troops, she concluded a treaty with them; in which she stipulated to assist them with 5,000 foot and 1,000 horse, at the charge of the Flemings; and to lend them 100,000*l.*, on receiving the bonds of some of the most considerable towns of the Netherlands for her repayment within a year. It was further agreed, that the commander of the English army should be admitted into the Council of the States, and nothing be determined concerning war or peace without previously informing the Queen or him of it; that they should enter into no league without her consent; that if any discord arose among themselves it should be referred to her arbitration; and that if any prince, on any pretext, should attempt hostilities against her, they should send to her assistance an army equal to that which she had employed in their defence. This alliance was signed 7th of January, 1578." It was upon that ground alone that the policy pursued by Queen Elizabeth was to be justified—upon that ground alone she had acted, and was not tempted by even the splendid offer of a throne itself; knowing well that if she had accepted it she would have involved herself in consequences dangerous to her own safety, by connecting her with circumstances foreign to the interest, the integrity, and the honour of the empire over which she reigned. Another allusion made by the hon. Member for Mary-le-bone was to the case of King William. He stated that King William was accompanied to this country by his Dutch guards. But he would ask, whether there was any analogy between the case of King William arriving in England, distracted as this country was by circumstances of no ordinary nature, with 7,000 Dutch guards, for the purpose for which he was called, and the case now under the consideration of the House; that of this Government interfering by supplying troops to the Queen of Spain to be under her pay, not to be under the orders of British generals, but Spanish generals, and, except their being British troops, having no connection whatever with this country. He would say that there was no analogy whatever between the cases of Queen Elizabeth and King William and the present case. It was true that his noble Friend, the Member for Hertford, alluded to another instance, which occurred in the reign of Charles the 1st. Charles the 1st sent out troops to the succour of Gustavus Adolphus, under the Marquess of Hamilton. But, on reference to all the historians who had spoken of that circumstance, there was not a single historian to be found who did not repudiate that act of Charles the 1st. The last historian of the thirty years' war, stated that the interference of Charles the 1st. through the medium of the Duke of Hamilton, was derogatory to the King, and dishonourable to the country. He (Mr. Maclean) alluded to these cases and precedents, because, in the defence made by the noble Lord on that occasion, he stated that he had not found any precedent, and he wished to establish one. The noble Lord stated, as a further vindication of the policy he pursued, that the interest of the Queen of Spain was essentially an English question. The noble Lord said:—"It was an English interest that the cause of the Queen of Spain should be successful; it was of great interest to this country that that alliance which had been fortunately cemented between the four Powers of the west — England, France, constitutional Spain, and constitutional Portugal—it was, he repeated, of great interest and importance, in the most enlarged views of national policy, that that alliance should continue; and it could only continue by the success of the Queen of Spain. If any man were to tell him, that in the event of Don Carlos succeeding in what he (Lord Palmerston) held to be impossible— establishing himself on the throne of Spain, and in restoring all those principles of internal government and of foreign policy which would inevitably accompany his establishment—if any man were to tell him that such a change in the state of Spain would leave her as efficient an ally in the spirit of the Quadruple Treaty for England, as she would continue to be if the cause of the Queen should triumph—he would tell that individual that he neither understood the interests of England, nor the spirit of the treaty in question."* The noble Lord might be right; but he would put the other alternative, and he would suppose that it was just possible, what the noble Lord had *ex cathedra* stated to be impossible, for Don Carlos to be successful; and he would ask whether he did not think since that speech was made matters had not so changed their aspect as, he would not say would insure the success of Don Carlos (for, perhaps, it was immaterial to gentlemen on his side of the House whether Don Carlos succeeded or not), but whether circumstances had not so changed their aspect as to render it possible that he might succeed? Supposing he did succeed—for the events of war no one could foresee—their issue no one could predict—and that Don Carlos should become King of Spain—he would ask the noble Lord, did he not think that the interference of this country in this mode and manner was likely to be prejudicial to the interests of Great Britain? Did he not think that it would create in the breast of Don Carlos an acerbity of feeling, a bitterness of enmity against those who endeavoured to prevent him from having the lawful chance of obtaining the Crown, which would prejudice the interests of this country? Would it not have been better to have abstained altogether from interference, to have remained neuter, and have allowed this country, at least, the chance of standing well in the good graces of Don Carlos, should any event place him on the throne of Spain? Would it not be more likely to place us upon an equality with other nations should Providence give success to his arms? What, if Don Carlos should succeed, was to become of those large sums sent by this country to Spain for the support of the Queen? Could it be expected that Don Carlos would guarantee those sums? Could it be expected, that after this country had done everything it could, except by an armed intervention under our own troops and generals, to oppose Don Carlos, the holders of Spanish bonds would realise the sums guaranteed by the Queen for the succours we ourselves had supplied to her? The amount he did not know. He had moved for a return of all stores, ammunition, arms, &c., furnished to the Queen of Spain, and also a return of the men and officers serving in the Queen's service and receiving pay from the English Government; but neither of those returns had been made. This disabled him from stating the amount of sums advanced by, and the re-payment guaranteed to the bondholders. England was to rely upon the honour of the Queen, he was told; and in another place it had been stated that the honour of the Queen was pledged for the repayment of these advances. He did not doubt that. He would not attempt to throw any discredit on the Spanish Government; but he was putting the supposition, that by a reverse of fortune Don Carlos should be placed upon the throne of Spain, did the noble Lord anticipate that he would repay us the sums expended for the purpose of annihilating him and his army in the northern provinces? If not, then the policy on which the noble Lord acted was a one-sided policy. It went upon the ground that the Queen must succeed. We were told that the Spanish nation were longing for the dominion of the Queen, and that the constitutional Government promised by her would be a *panacea* that would cure all the evils that distracted that country. Were those juntas, whom the vigour and vigilance of Mendizabel had, if not annihilated, reduced to obedience and subjection—were they satisfied with the predecessors of Mendizabel? Up to the end of 1835 every province had its junta, and every junta its constitutional nostrum. There was a prevalence of feeling throughout the country almost verging on republicanism. Where the Carlists did not threaten the authority of the Queen the Republicans threatened it with almost equally imminent danger. The malcontents on the one side, with all the zeal of proselytes, were panting for republicanism, while on the other side the adherents of Don Carlos were reproaching the queen with the violation of all legitimate authority. Had we by our interference stifled the one or eradicated the other? Was there not sufficient evidence that instead of having done so, we had matured the flame into a degree of greater vividness, and had excited the people of Spain into a degree of animosity which we should never be able to suppress? We had, in point of fact aimed at what it was impossible for us to do—the extinction of a feeling which was indigenous in the Spanish people—a feeling of hatred to the interference of foreigners. Was that a feeling of yesterday? A feeling which the troops of General Evans, or the soldiers of the Algerine legion had newly excited? He need not, he was sure, allude to the language of an illustrious statesman, whose memory was dear to many in that House—he meant the late Mr. Canning—he need not allude to what he had said on a former occasion to convince any hon. Gentleman of the strength of that feeling in the Spanish breast which he (Mr. Maclean) had denominated "an indigenous feeling." In the year 1823, when Mr. Canning was speaking of the contest then going on in Spain by the armed intervention of the French, and deprecated that intervention acknowledging that it was an act of gross injustice, he said,—

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* Hansard, vol. xxviii. 3rd Series p. 1148.

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* See Hansard, Vol. xxviii. p. 1148.

> "The first condition of engaging in any war, the *sine quâ non* of every such undertaking is, that the war must be just; the second, that being just in itself, we can also with justice engage in it; and the third, that being just in its nature, and it being possible for us justly to embark in it, we can so interfere without detriment or prejudice to ourselves. I contend that he is a visionary politician who leaves this last condition out of the question; and I say further, that though the glorious abandonment of it may sound well in the generous speech of an irresponsible orator, with the safety of a nation upon his lips, and none of the responsibility upon his shoulders, it is matter deeply to be considered; and that the Minister who should lay it out of his view in calling on the country to undertake a war, would well deserve that universal censure and reprobation with which the noble Lord opposite has this night menaced me."

Upon the subject of the alleged gratitude of Spain, he would also quote the authority of the same great Statesman. Mr. Canning said—

> "When the army of England last fought in Spain, they fought in favour of an united people against a foreign and a common foe. How altered is the case at present! Who is there who could wish to see Englishmen, on entering the Spanish territory, opposed, not to the foes of Spain, but directing their bayonets against Spanish bosoms? This I confess is a sight which I would rather not witness. In one case, perhaps, a feeling of gratitude might be created in the minds of Spaniards, though I confess that upon this point I am not very sanguine; for I recollect, that, though something like gratitude was manifested by the Spaniards for the services rendered by the English during the late war, there was also upon the embarkation of our troops something like a public gratulation that the country had been at length cleared of the presence of those heretics."

Mr. Canning proceeded to observe in vindication of that feeling,—

> You may call it bigotry on the part of Spaniards—you may call it ignorance, or what you will, but still it is in the nature of the Spaniard; and you must deal with man—not as you wish him to be, but as you find him to exist.*

At that time they were losing the friends of former years, who had poured forth their blood like water to give that freedom to others which their forefathers had handed down as their own imperishable inheritance; they were parting with men who had been their companions in arms for years, men who had poured out their blood like water, to secure and hand down that freedom to them which they themselves had long inherited from their ancestors; they were parting with men who had pursued but one line of conduct, having enlisted but under one motto,—

"Parcere subjectis et debellare superbos."

Though one could not but regret the feeling he had portrayed as the natural consequence of the departure of the British troops from Spain, yet one could not be astonished that such a feeling should have arisen in their bosoms. It, at all events, showed that a hatred of foreign interference grew with the growth of the Spaniards, and strengthened with their strength. There was another point, and one of considerable importance, to which he wished to call the attention of the House. He would ask whether anything more dangerous to the discipline or permanent stability of the army could have been devised, than the course which had been pursued with regard to the enlistment of the troops that had been sent to Portugal. If he knew anything of the British soldier's character, it was a mixture of loyalty to his King and devotion to his father-land. He would ask whether anything could be more dangerous to the high character which attached to our army, from its great achievements, than a continuance of those practices and principles which had lately been adopted—than a proposition emanating from the highest authority in the State as it were, inviting men to enlist under the banners of a foreign Sovereign—or than the sufferings which those troops had recently endured—disasters the most painful and most galling to gallant men? He would ask the noble Lord whether the highest military authority in this country, adverting to the provisions of the Quadrupartite Treaty, would sanction the course of proceeding of which he complained? Independently of these considerations, it must be remembered, that the English troops in Spain were not under the orders of our own commanders, but were under the orders of officers out there whom they were compelled to obey, and who were, therefore, liable to become parties to all the aggressions that might arise from their treachery, duplicity or misconduct. Putting out of view, however, the revolting contingencies to which they were liable, it was now admitted by all, that the anticipations of speedy triumph were unfounded, Mina, whose name was once so hallowed in Spain as the symbol of victory, was now execrated in Europe as little better than an assassin, and rebel hordes that used to flee at his appearance, shut him up in the fortresses of Catalonia. Let him call the noble Lord's attention to a recent, and he believed, an authentic communication, describing the state of those troops, dated "Vittoria, Jan. 26." The writer of that letter stated that the troops had suffered most severely from the immense number of sick. A great fever had cut off many, and, what would seem very extraordinary, the frost had done them fearful injury, some of the men having lost their toes, and others their feet, in addition to which they had to undergo the hardship of sleeping on the brick floor of a damp convent, with now and then a bivouac in the open air. These the writer assigned as the causes of the sickness that prevailed. They never showed themselves before the castle without the black flag being displayed, and one-half of the men were labouring under the effects of diseases, which were not confined to the men alone, but under the influence of which the officers were daily falling victims. The writer concluded by expressing his opinion that they could not at present muster more than 5,050 able men. He believed the situation of these men was even worse than it had been described; the sources from which he had derived this information no one could dispute. The account however read, shewed that his hon. and gallant Friend, the Member for Windsor, was most accurate when he spoke on this question in 1835. The facts he had stated showed that his hon. and gallant Friend was prophetic in the warning he then held out to General Evans and the troops about to embark under that officer's command, when he told them what they had to expect, and advised the gallant officer commanding the expedition not to quit this country under any assurances, however flattering or encouraging, unless he had six months' pay in his military chest. The harassing nature of the country was described with an accuracy which the letter he had read painfully corroborated. Had it not turned out that nearly every word spoken by his hon. and gallant Friend, dictated as it must have been by the wisdom of military experience, had been realized and fulfilled? The troops embarked from this country on this unhappy service were, generally, such as the most effective authority would be insufficient to check in their irregular habits and disposition, and to reduce to a proper state of discipline before it would be safe to call them out upon any active service or expedition. Without long and previous training these men could not even have been sufficiently indurated to undergo the fatigues of a march over a very difficult country. Accordingly, in a march of twenty-one days from Bilboa to Vittoria, the Legion was almost in a state of disorganization; and after their arrival at Vittoria, the greater portion of the troops were obliged to give up their beds for the accommodation of the sick. The refreshments they received were of the most scanty and unwholesome description; and they were literally huddled together upon the cold and comfortless floors of the convents of Vittoria. Then came the unfortunate business of the retreat of the Legion. On one occasion, when the troops had bivouacked on the field of battle, the British soldiers under Evans were abandoned by Cordova, leaving the Carlists undisputed victors, and almost the captors of the British with their stores. Deserted by those who ought to have supported them, they were compelled to fly from before the Carlists, into whose hands their persons must inevitably have fallen, but for a thick fog coming on, which rendered pursuit useless. It was such circumstances as these which induced him to say that the interference of Great Britain, by means of these soldiers, was detrimental to the character she had so well established in the Peninsula. He did not charge these men with want of gallantry; he did not say that their conduct was reprehensible on that score; but he maintained that their being obliged to leave the field, and only retiring in safety through the intervention of a fog, was in itself sufficient to tarnish the renown, the honour, and the character of the British empire. In 1835 the noble Lord opposite acknowledged that England had interfered in the war. What were the responsibilities we had contracted by doing so, and what were the consequences which might result from that interference? Suppose it should become the policy of the Russian, Austrian, and Neapolitan governments to interfere in favour of Don Carlos, in what a situation would England be placed? In 1823, when the question of intervention was fully debated, during Mr. Canning's administration, the present Lord Melbourne, then Mr. William Lamb, said, "It was necessary that the government should possess the power of controlling any strong demonstration of political feeling, in regard to our foreign relations, which might otherwise commit the country in those hostilities which it was our best policy to avoid. Could it be supposed that if any other country were to take an active part in behalf of a power with which we might be at war, that we should bear it tamely, and not call upon that country to choose between peace and war? The repeal of the Foreign Enlistment Bill would be considered as an act of decisive hostility; and if we affected, at the same time, to maintain neutrality, would be unworthy of the fair character and honest dealing of the country. He was ready to admit that the aggression of France on Spain was an act of injustice, but he denied that we were called upon to repress every act of injustice committed by a foreign power, and that we were bound, on every such occasion to embark in the contest." Let the House remember the present position of affairs. The succession to the Crown of Spain was still undecided, and the claim of Don Carlos, as compared with that of the Queen, might still be mooted in that country. The Basque provinces possessed privileges which no other province possessed—of a very important and valuable nature—being no less than the right of raising their own custom duties, and taxing themselves. These privileges the Government of the Queen of Spain had abrogated. What was the effect of our interference? To make ourselves virtually parties to that odious proceeding. He was deeply impressed with a sense of the obligation of this country to fulfil the provisions of any treaty to which she became a party. If there was one thing more sacred than another, it was the conservation of the inviolability of the promises of a great nation; but while we were bound, not only by policy, but morality, to keep the faith of treaties, we were equally bound to act with the utmost caution and discretion in doing so. When he said this, he begged to refer the noble Lord to the provisions of the treaty itself. It was curious, that of France and England, we were the only nation which had promised to furnish to the Queen of Spain a naval force, arms, and ammunition, and military stores—that we were the only nation to which any loss could accrue. As well as he recollected the treaty—and if his recollection deceived him the noble Lord would be able to set him right upon the point—the King of France only pledged himself to take such steps as he and his august allies, after due consideration, should deem expedient. The King of France therefore pledged himself to no overt act, but we pledged ourselves to assist the Queen of Spain with a naval force, or, in other words, to render the funds of this country available for the prosecution of this domestic struggle. But this was not all; in the additional articles we pledged ourselves to assist the Queen of Spain with arms, ammunition, and military stores. There was no guarantee on the part of the Queen of Spain for the payment of these supplies, or of any portion of them; and he really thought that when we promised so much, the other party might have promised something. The King of France promised in an additional article to take all necessary precautions for preventing the passing of stores to Don Carlos. He did not think the King of France would incur any very great expense in the discharge of this obligation, and he entertained, in common with many other persons, a shrewd suspicion that the watch which was kept along the line of the Pyrenees was not of a very vigilant nature. How did it happen else, that Don Carlos, in his secluded retirement, with 12,000 ragged troops, had been enabled to raise an army of 50,000 men? He would relate an anecdote on this part of the subject, which he had heard from very good authority:—Shortly after we had sent some muskets out to Spain, a sally, headed by Zumalacarregui, took place against the Queen's troops, who, after showing themselves a little while, making what he believed was called a "demonstration," retired, leaving behind them a considerable number of new muskets. Zumalacarregui, who was very curious in arms, and had a great taste for collecting them, possessed himself of these muskets, and shortly afterwards sent his compliments to General Rodil, with a polite message, intimating that as the arms they had taken bore the Tower mark, and as his troops had a decided preference for that description of fire arms, they would feel highly obliged to him if he would have the kindness to allow his men to carry them on all future occasions. He could assure the noble Lord that he heard the anecdote from a source not very far removed from Zumalacarregui himself. He would now request the attention of the House to an extract from a work lately published by Captain Henninsgen, entitled "A Twelve Months' Campaign with Zumalacarregui during the War in Navarre and the Basque Provinces of Spain," in which the resources and prospects of Don Carlos are spoken of by one who had possessed opportunities of personal knowledge superior to most others who had offered their opinions to the public:—

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* See Hansard, Vol. viii. New Series. pp. 1055, 1056.

"Hitherto, it is true, his success has not been decisive; but of his eventful triumph those who are acquainted with the popularity of his cause in the Peninsula, protracted as the struggle may be, can have but little doubt. The northern provinces can only be subdued by the extermination of the male population, the transplanting of families, burning of harvests, and destroying every human habitation, as was attempted by the French Convention in La Vendée. But to effect all this in a country like the present seat of war, which baffled the genius of Napoleon with all his legions, and where every arbitrary act, instead of striking terror, arms fresh masses of its population, would require, I apprehend, a larger army than was ever marshalled under any man since the days of Xerxes. The official return of Don Carlos's forces, on the 1st of January, 1836, gives:—For Navarre, Alava, and Biscay, 35,200 men; for Catalonia, 22,363: in all, 57,563."

The authority from which he had read this statement, he believed, was allowed to be good, and he felt himself, therefore, justified in placing reliance upon it. He thought it his duty thus to bring under its consideration the foreign policy that had been pursued by the Government in this instance, and to call for an investigation into the line of conduct that had been adopted by the noble Lord opposite (the Secretary for Foreign Affairs) in permitting a force of 10,000 British troops to take part in the civil war now raging in Spain, contrary to the letter of the treaty of the Quadruple Alliance. He did not complain of a supply of arms having been furnished, because that was consistent both with the spirit and letter of the treaty, but he contended that if an armed force was to be supplied it ought to have been specified in the treaty itself, and not left to the discretion of any Minister. He would not trouble the House further. The honour of his native country, with which was entwined the honour of its army, whose reputation would, he hoped, be immortal, had induced him thus to trespass on their kind indulgence. He knew that no man was more fondly proud of that fame, which had made British chiefs and British soldiers the property of history, than the noble Lord himself. He knew that no one would feel more deep regret than the noble Lord, if the laurels which we had planted on that soil, and watered with our blood, were now to droop and wither; but what he said was, do not let us pander to the worst passions of human nature; do not let us enter into a crusade under the name of liberty, which might proceed in dishonour, and terminate in disgrace. If England were to speak, let her speak as she did of old. If she were to unsheathe the sword, let her not return it to the scabbard until she knew she could change it in security for the ploughshares of peace. In his opinion, we might have terminated this struggle more speedily, by abstaining altogether from intervention. Intervention at this moment, to have such an effect, must plunge this country in a war, for which there was no justification. He contended, then, that the best course for the honour, the peace, and the security of England, would be to withdraw at once from the contest the men who were now engaged in it. If the noble Lord would permit him, he would say to the noble Lord—

> ——" fortiter occupa
> Portum. Nonne vides, ut
> Nudum remigio latus,
> Et malus celeri saucius Africo,
> Antennæque gemant, ac sine funibus,
> Vix durare carinæ
> Possint imperiosius
> Æquor?—non tibi sunt integra lintea.

Thanking the House for its kind indulgence, the hon. Member concluded by moving, after a short delay, that " the papers which the noble Lord, the Secretary for Foreign Affairs, intimated his intention of bringing forward on a former occasion be laid on the Table of the House."

Mr. *Ward* very much regretted that hon. Members opposite always carefully abstained from bringing this question forward in any tangible shape, which enabled the House to come to a decision upon it. The proper course would be, to visit with the censure of the House those Ministers who had neglected the interests of their country, by laying themselves open to the charge which was to be implied, at least, from the speech of the hon. Member, if that charge were well-founded; and if it were unfounded, to remove such an imputation from them at once, by an expression of the sanction and approval of the House. But any such course was always most carefully avoided. Such were the tactics constantly pursued on the opposite side of the House, whenever the affairs of Spain were brought under its consideration. When the noble Lord, the Member for Hertford, brought the subject forward last Session, he concluded a speech which, though moderate in its tone, was full of strictures on the Government, by moving for the production of papers, to the production of which, he well knew, there could be no earthly objection, inasmuch as their contents were previously well known to the House. The noble Lord would excuse him for saying that, by the adoption of this course, he placed the House in a most unfair position, compelling it either to refuse its assent to a motion, in itself perfectly unobjectionable, or by acceding to it, to bestow its sanction to a certain extent on the grounds on which that motion was founded, and the statements by which it was accompanied. But the hon. Member for Oxford was even more cautious—his caution exceeded all precedent; he would not move for anything at all, but merely placed a notice on the books, which just served as a peg to hang a speech upon, without the slightest notion of ever attaining any definite or specific result. The hon. Gentleman took precedence, as he understood, not because he was going to make a speech, but because he was about to make a motion. The speech had, however, been made without any motion at all; and thus he (Mr. Ward) was deprived of a pleasure which he had promised himself—the pleasure, if that motion had impugned the conduct of his Majesty's Government, of moving such an amendment as would have brought the whole subject under the consideration of the House, and enabled them to pronounce an opinion upon it. He regretted that the mode of proceeding which had been resorted to, did not leave him the power of changing the hon. Member's field-day into something like a regular discussion. The real question at issue was, had his Majesty's Ministers, under the obligation of a treaty, pursued a right object; and if so, had they pursued it in a right way. It was very convenient for hon. Gentlemen to say that they did not impugn the treaty itself, while they impugned every act that naturally flowed from it. It was quite impossible to separate the two; the House must take the policy of the alliance into consideration, before it decided to what extent the Government were justified in acting upon its stipulations. What was the policy of the quadruple treaty? To give peace and security to the people of Spain and Portugal (with the last of which, be it recollected, England was the most intimately connected), and to afford them an opportunity of introducing and working out those changes which they might consider desirable, without the fear of foreign aggression, and without the interruption of a disputed accession. He maintained that the peace and welfare of England were most intimately concerned in putting an end to the fluctuations which had, during the last century, prevailed in the Peninsula. It was with the Cortes of Spain we formed our connexion in 1809: we became their protectors in 1814, when they were driven into exile; and many hon. Members of that House must recollect that it required all the power of Mr. Canning's great talent and eloquence to restrain the tide of popular feeling which had set in their favour in 1823. To Portugal we were bound by equally strong ties. We were bound to protect them from all foreign aggression, and from all interference in their internal affairs. Uniformity in the Peninsular Governments was of the utmost importance to England; and now we were bound by the Quadruple Treaty, in conjunction with France, to throw the shield of our protection over the infant liberties of both these countries. The objection of the hon. and learned Member for Oxford was to the extension which had been given to this treaty. But he (Mr. Ward) contended that our Government had acted in the true spirit of that treaty. The hon. and learned Member should not forget that, by the letter of that treaty, a most important obligation was imposed upon this Government. That treaty obliged us, in case of necessity, to send an armament to the coast of Spain or Portugal, to protect either from foreign interference in their internal affairs. Suppose, then, that Russia (and the hon. and learned Member did not regard it as a very improbable supposition) or any continental country, had sent an army to Spain to support the cause of Don Carlos—as France would, under the terms of the Quadruple Treaty, prevent their passage through her territories—we should have been obliged to send a fleet to the coast of Biscay to obstruct their landing. We should have been committed to the whole force of our armament. Then, with respect to the efficiency of the aid afforded under his gallant Friend, General Evans, it should be remembered that that gallant officer acted under the orders of Spain, and therefore should those untoward events occur, which had been anticipated by the hon. and learned Member, but of which he (Mr. Ward) had not the slightest apprehension, the disgrace would fall, not upon England, but upon Spain herself; so that when we could accomplish the object of the treaty by a less exertion of power, why should we be called upon to make the greater. So far from joining in the unfavourable anticipations of the hon. and learned Member, he was convinced that the gallantry of the British Auxiliary Legion would fully justify the cause in which they had embarked. So soon as the severity of the season should be mitigated, and that an opportunity of distinguishing themselves was afforded, he felt assured that these brave men would prove themselves worthy of the reputation acquired by their predecessors in the Peninsula. The hon. and learned Member opposite had attached much importance to the opinion of Mr. Canning. When the hon. and learned Member attributed to Mr. Canning the doctrine of non-intervention in all cases, he attributed much more than that illustrious individual professed. In 1819, 1823, and again in 1827, was it not obvious that Mr. Canning's opinions and policy were governed by circumstances? In the very passage quoted from a speech of Mr. Canning by the hon. and learned Member opposite, it was admitted, nay strongly enforced, that our interference or neutrality must be greatly determined by circumstances. With respect to the feeling in favour of the constitutional cause, he would take it on himself to say, that all the influential and populous towns were in favour of it; and he referred with pleasure to the remittance which had arrived in Madrid from Havannah. This was a strong proof of the feeling existing in the colonies. He was surprised how the hon. and learned Member could assume that the conduct adopted by England was unjustifiable in a power which had signed the Quadruple Treaty. It was quite true that Government had gone beyond the letter of that treaty. [*Cheers.*] These cheers he was prepared for from hon. Members who were opposed to the

Quadruple Treaty in spirit and in letter. But he would mention that, in acting as she had done, England was only acting in accordance with the spirit of that treaty. He denied that the salique law was part of the constitution of Spain. It was introduced by the Bourbons, and the same power that established could at any time repeal it. He could conceive no more unimpeachable title than that of the Queen of Spain, sanctioned as it was by the Cortes of the kingdom. The hon. and learned Member had said, that Don Carlos ought not to be irritated. Now he should take leave to observe that Don Carlos was identified with fanaticism in Spain. It had been his lot to have spent four years in Spain, at a period when he could form a very accurate opinion upon the subject, and he should venture to put his own personal experience in opposition to the "information" of the hon. Member opposite. Don Carlos was a supporter of the Inquisition in Spain; he was opposed to the slightest modification of it by Ferdinand, and he endeavoured to induce his brother to revive it in more than its pristine odiousness, as an engine not merely of religious, but also of political oppression. He was therefore an individual from whom this country had nothing to hope, and he believed as little to fear. It was quite clear that if he came to the Throne of Spain, he would fall into the hands of those who were most opposed to England and her free institutions. England had guaranteed the succession to the Queen of Spain, and was proceeding prudently, but efficiently, to secure it; and he believed that Mr. Canning, if in the situation of the noble Lord near him, would have adopted precisely the same course. The public professions of Mr. Canning justified him in this supposition, and the opinion of Mr. Huskisson, who ought to have been familiar with the opinions of Mr. Canning, also justified him in saying, that that Statesman would have adopted precisely the same course as that pursued by the noble Lord near him. From the moment that Sir Charles Stuart brought the Constitution of Portugal from Brazil, the danger that was principally to be guarded against was, to prevent a division between England and Spain respecting its establishment. Any such danger as that was no longer to be apprehended. It was sufficiently guarded against by the Quadruple Treaty—the maintenance of which would be most conducive to the honour and interests of those Powers that were parties to it. In conclusion, he had only to express his hope, that if the hon. and learned Member had any objection to urge against the fulfilment of that Treaty—as it had been fulfilled by this country—he trusted that he would bring some intelligible and tangible motion before the House, that would give them an opportunity of expressing an opinion on a subject of so much importance.

Mr. *Poulter* declared, that if ever there was any treaty that was clear and specific in all its possible provisions, it was that treaty, and whatever virtually fell short of a complete carrying out of its principle was a virtual abandonment of it. When that treaty was entered into by the contracting powers, Don Carlos was almost an exile from Spain; his arrival here was supposed to be for the purpose of retirement, and not with the view of making it a stepping-stone to the Pyrennees. It was never expected that he would meditate at Alverstoke or Brompton a design to prosecute, at the earliest opportunity, his claim to the Spanish throne; and if such an expectation had been entertained, the country would have been bound to take, and would have taken, steps to prevent the completion of the project. But as it was impossible to prevent it, it was the duty of Great Britain to afford such future assistance, in order to carry the treaty into effect, as should be required. A good deal had been said about mercenaries, and undoubtedly the brave men who had left this country to fight for the Queen of Spain, in one sense, were mercenaries. Those were mercenaries who received *merces*, but in a sense of reproach he utterly denounced the term, and the men who had left England to fight for Donna Isabella were actuated by motives which did them the highest honour—that of contending for the cause of constitutional monarchy. A man who served anybody for pay was a mercenary. Would these men have served Don Carlos on those terms? He wholly and utterly denied that they would, having chosen, as they had done, a great and most honourable principle to support. The hon. Member near him (Mr. Ward) had anticipated him in stating that the salique law was not the law of Spain. It was introduced into Spain by the force of intimidation, and the Spanish people would not have hesitated to declare their preference for the old law, had it not been for the connexion of the salique law with the representative of the apostolical party. This it was which made the abrogation of that law unpopular with the people of Spain, and particularly with the peasantry, ill educated and ill informed as they were. He would ask hon. Members which of the two forms of Government, a constitutional or an absolute monarchy, was likely to be most productive of the greatest blessing which could be bestowed on a nation —a system of popular education? Which of the two was most likely to tend to the formation of virtuous private character, the best component part of public character, the most likely to inculcate that respect for law in its ultimate and proper sense, and promote that security for property, and he would say, though it might excite a cheer on the opposite side of the House, that tenderness for human life, which were the usual consequences of a system of constitutional government? A good deal had been said about the atrocities that had been committed; about the fact there could be but one opinion, but there might be two about its cause. They all agreed in thinking that it was the duty of the noble Lord to protest in the strongest manner against the recurrence of such abominable atrocities. But he did not set down the commission of these disgraceful acts to the charge of liberty, but to the long antecedent despotism which had prevailed in Spain; the fetters were thrown off, and the nation behaved as a mere child which had never known how to regulate its own actions. These disgraceful acts were the penalty which must be paid in passing from a state of despotism to a state of freedom. Such a penalty was paid in France, and most tremendous it was, owing to the long course of antecedent despotism, owing to *lettres de cachet*, to the bastile, and to the freedom from taxation which was allowed to the privileged classes. But if we looked to those who were descended from our own stock, when they had thrown off the yoke, they presented the spectacle of a peaceful and honest form of government. He was saying nothing in favour of republics, but this circumstance was enough to show that those alone to whom the notions of freedom had been transmitted from ages back, could at once be expected to conform themselves to their new situation, and be their own masters with grace and dignity. Hon. Members had spoken of the sympathy which the Spanish nation felt for Don Carlos. If so, why was he shut up in the mountain fastnesses, which he would speedily abandon if his cause was really the cause of the people. But when he came to ask where Don Carlos obtained his resources, he was sorry to say that he procured them from the friends of absolute government all over the world. He was playing the stake for nearly the last absolute monarchy in Europe, and certainly the last in western Europe, and those who were interested in the event of the game took care that he should be enabled to play it with the greatest possible advantage. Smugglers from France supplied him with all the munitions of war. When he considered that the greatest changes in the constitution of a country, as had been lately shown in our own case and in that of our neighbour France, could be carried into effect, and the public peace and order still be preserved, he could not but feel inclined to favour the cause of the Queen, and he must think that ultimately the whole of western Europe would come under the influence of constitutional and representative governments. Hon. Members might call this principle a disorder, but he would remind them that it was contagious in its character; and he felt confident that it would extend to the north as well as to the west, to Poland as well as to Italy, and finally spread itself over the whole civilised world.

Mr. *O'Connell* hoped the House would give him credit for meaning what he said, when he assured them that he had no intention of trespassing at any length upon their indulgence. But he could not allow the debate to conclude without calling attention to the real cause of the difference of opinion existing on the subject now under the consideration of the House. The real difference was that between the principle of absolutism and that of constitutional liberty. Yet there was not one word of that in the speech of the hon. and learned Member for Oxford, because the cause of Don Carlos was that of absolutism, and that of Christina was the cause of constitutional liberty. There was something unnatural too in the alliance that had been formed in support of the cause of Don Carlos. That prince was so much of a

Catholic, that he had arrived at the stage which those who regard Catholicity as superstition, call Popery. And yet notwithstanding this, the most violent No-popery men in this country had rallied round his cause. By this conduct they showed, at all events, that their opposition was not to the abstract principle of Popery, but to Popery when allied to liberal institutions. They were opposed to Popery in Ireland—not because it was Popery, but because it was just now wrapped up with Liberality. The cause of Christina, though it was the cause of free institutions, had yet been disgraced by atrocities which he was the first in that House to condemn. He was the first in that House to denominate Mina a monster for his atrocities—and so should he speak of Zumalacarregui. Was there, he would ask, any man in that House who would stand up to defend Don Carlos? to defend him who had entered into that treaty which was so much for his advantage, and which entitled him to be recognised as a person who could be treated with by the British Government, but who was still guilty of the most abominable atrocities—murdering and assassinating the British subjects who happened to fall into his power. How could any Englishman stand up after that and advocate the cause of such a man? But he hoped a day of retribution was coming, and that instead of going to Madrid, Don Carlos would fall into the hands of his gallant Friend, General Evans, who, however, had too much magnanimity to retaliate by putting him to death, but who would, he trusted, treat him with all the contempt of forgiveness. He was glad the hon. and learned Member had not so far forgotten the principles of his profession as to pretend that Don Carlos had a shadow of a legal title to the Crown of Spain. The original principle upon which Kings in that country governed, which was the will of the people by which they were appointed, for so long a time as they ruled for the advantage of the country—resulted in the principle of hereditary succession; and in this females were included at first, as well as males. Nor was there any salique law until after the Bourbon invasion. Even then it was much qualified. In France a female could not succeed at all; but in Spain she might, if there were failure of male issue in the first and second line of succession. And even if a partial salique law was established in Spain, it was not sanctioned by the Cortes, but by the Council of State; and the opinions of that body were not taken by voting, but in writing. The law thus introduced was repealed in 1787, and again twice by Ferdinand. Soon after the first time he did so, the Act by which it was done was rescinded, but soon after it was again repealed; and this latter Act was sanctioned by the Cortes. But, supposing that he had a title, what kind of a friend of liberty was Carlos, to involve the country in such scenes of bloodshed as he had done. He thought that the time was come when it was the general opinion of enlightened men that the man who would "wade through slaughter to a throne" was unfit to reign. He was supported in his contest by those who from ignorance were against good government. He had that species of force which should rather be called a natural than a moral force—that species of force which it was difficult to hunt out of the mountains in which it had taken refuge, and which was determined not to descend to the plains. No doubt it was the duty of a soldier to act with prudence, but, if Don Carlos possessed that strength which he was said to have, he would before now have been at Madrid. Before he sat down, he could not help adverting to a rather singular circumstance, which he believed was no secret—he meant the proceedings that were going on at the Stock Exchange. A number of persons at that place had undertaken to lend the Government of the Queen money, but some of those persons had determined "to hedge," and agreed to lend a sum of money also to Don Carlos. He understood that Don Carlos was to have a loan of 250,000*l.* to assist him in murdering British subjects; and if he ever got to Madrid, he was to have a large loan; but if he did not, of course the lenders would lose what they advanced. By this means they "hedged" as to the Christinos loan. Those gentlemen might laugh at this proceeding, but he could not help considering that it was frightful thus to traffic in human blood. These proceedings would continue, however, as long as Members in that House lent their countenance to the projects of Don Carlos. The hon. Member for Oxford had read a number of letters from the scene of warfare in Spain. He (Mr. O'Connell) had also received letters from Vittoria—some from relations of his own, who had gone out with General Evans, which gave a very different account of the march and fight from that given by the hon. and learned Member. He knew the writers of some of these letters to be incapable of misrepresenting the truth. These letters were from persons who were remaining with General Evans's army, and who were determined to continue there and fight it out. These were not the persons who sent letters to the newspapers of the disasters of the army, and who probably were sitting at their firesides at Bayonne, or other places, while writing the accounts of the horrors that had been described. He was glad to think that the Government of the Duke of Wellington considered themselves bound by the treaty, and that the present Government were determined to carry out its provisions; he only regretted that more strenuous assistance was not rendered to the Spanish Government. He did not think that Don Carlos could have continued to maintain himself in the mountainous regions where he was if there was not treason in the Christinos camp. Even if there was, it would be an extremely difficult task for him to succeed. At any rate, he was sure that the brave force under his gallant Friend, General Evans, would never disgrace the character of British soldiers, by sharing in any part of the atrocities and cruelties which had characterised the career of Don Carlos. He trusted that this discussion would show the country that the House had confidence in the Government, and that they relied upon its carrying out the stipulations of the treaty. He would only add, if the hon. Member for Oxford had made any attempt to take the sense of the House on the subject, that he would have found that Government was supported by a triumphant majority.

Sir *John Elley* trusted that the House would afford him its indulgence while he entered upon a few observations connected with this subject, and he would confine himself to the military view of what was taking place in Spain, in consequence of the division which left this country under his gallant Friend General Evans having proceeded thither. He should commence his observations with the landing of the force on the northern shore of Spain. On arriving at St. Sebastian they found the barracks occupied by Spanish troops, but quarters were provided for them. After a short stay they left that town, to reconnoitre the forces of the enemy, in company with some Spanish troops. The advanced corps was composed of some of the best troops in the Spanish army, and was followed by two battalions under General Evans. They proceeded as far as Hernani, a town about three miles from St. Sebastian, on the Tolosa road, and having made the reconnoissance, they returned. They next went to Bilboa, and there they found good lodging, good provisions, and ample opportunities of bringing the men into a state of discipline. Unfortunately those opportunities were not sufficiently improved, and the consequence was, that finding no other mode of punishment effectual, they were obliged to resort to a punishment which we must all dislike, which we must all reprobate, and more especially his gallant Friend. To each battalion was appointed a provost-marshal. He had a drummer, a serjeant, a corporal, and six file of men. The duty of this provost-marshal was the exercise of absolute power, and if he found any man who, in his opinion, was acting out of the strict line of discipline, without further ceremony he was to tie him up, and give him a couple of dozen. This punishment and these powers were absolutely necessary, for the troops were not to be brought under subjection by any other means. After remaining some time at Bilboa, where, on the arrival of General Evans's battalion, there were stationed 15,000 Spaniards under the command of Espartero, the latter gave up the garrison to General Evans, and the Spanish troops under Espartero marched on towards Vittoria. Now, the House, or at least the military Members of it, would suppose that in an affair of such a nature as this march, under the circumstances attending it, and the situation of the country, that all the precautions of war would have been taken. These precautions were, however, in fact, wholly omitted, and the consequence was, that before Espartero and his column had proceeded seven miles from Bilboa into the mountains occupied by the Carlists, they were resisted with such force and spirit that they were compelled to retreat towards Bilboa, and to call upon General Evans and his small force to aid and protect the 15,000 Spaniards, under Espartero, who had gone forth. In short they came back with the Carlists at their heels in Bilboa, into which town the Carlists remained firing for upwards of an hour and a half. Before the march commencing, it was worthy of remark that Espartero had sent two battalions of his force in flank on parallel roads with the line of march, and it would naturally be supposed that after being discomfitted in the manner he (Sir J. Elley) had described, Espartero would have sent to those two flank battalions orders to retreat, but instead of doing so the two unfortunate battalions received no orders, and were consequently cut off from retreat by the Carlists, and were left only to choose between two evils—first, to contend with the superior force of their opponents, the Carlists; or to swim the Durango, a river of considerable width and of great swiftness of current. The battalions thus cut off from retreat chose the latter alternative, namely, that of swimming the Durango, and no less than 1,400 persons perished in the attempt. Shortly afterwards the 15,000 Spanish troops left the garrison of Bilboa in the sole possession of General Evans. No lengthened period elapsed, however, before that gallant Officer and the troops under his command were ordered to advance from Bilboa towards Vittoria. Now, did the gallant General take the nearest line of route, namely, by Durango? No, he did not; and why? Because he knew the Carlists occupied the passes on that route, and it was therefore that he took another road—that by Portugalette. Even there the Carlists met him. Did he bring them to action? No: he knew better a general action was not his object. He, however, struggled to proceed towards Vittoria, because such were his orders; and he mentioned this to disabuse the public mind with reference to these matters. In a word, General Evans did not attack or attempt to force any place he found occupied by the opposing party, because he had received positive orders not to do so. He found himself beset on all sides, and then came the question to his mind, how was he to rescue himself and those under his command in a situation of so much difficulty? He retrograded his force, and returned into a mountain pass, which took him over a very extensive range of country, a country of a most difficult nature and character, and here it was that the fatigue of the British legion first took place. What was the object, he must stop to inquire, of the British legion crossing this dreadful line of country—for such it was well known to be by those who were acquainted with its description and character? Why, he could state that the object was to gain a particular road from the coast towards Durango, which opened to Vittoria. The British legion, under the command of General Evans, came out with three days' provisions, and they were so improvident as to consume those three days' provisions in one day. The consequence, as might be naturally supposed, was, that on the second day hunger made rapid strides, especially in a country unprovided with every necessary of life. The third day the result was still worse; but General Evans, like a good soldier, gained with his troops the road he (Sir J. Elley) had already described, and by a forced march of thirty-five miles preceded the course of the force designed to have also intercepted that passage. General Evans, however, succeeded, and he entered Briviesca—a strong place, and fully equal to the reception of the troops under his command, and where, from fatigue, it was absolutely necessary for them to halt. So great had been the fatigue and hardships the men had experienced, that many threw away their knapsacks on the march. The anxiety of mind, added to personal fatigue, on the part of General Evans, was such as to confine him to his bed for six or seven days. When the legion was, however, again prepared to move, they succeeded in gaining the high road to Miranda del Ebro. On crossing the Ebro, the Carlists occupied one of the banks of the river, near the bridge by which the passage was to be effected; General Cordova came up with the Spaniards, and covered the movement of General Evans's troops. Eventually, however, General Evans arrived at Vittoria, and there he (Sir John Elley) understood he and his troops were well accommodated; but unhappily the march from Bilboa, to which he had adverted, had then laid the foundation of succeeding and consequent sickness among the troops, and, however reports which had gone forth might be supposed to be exaggerated as to the state of General Evans's corps, yet he (Sir John Elley) much feared that the hospitals were now much more crowded than the ranks. He lamented to state this, because his ambition was, that British troops—he cared not under whose command, he cared not for what object they might serve—should always succeed in any important undertaking that might call for their best exertions. He trusted the House would allow him permission to advert to the observations which fell last night from an hon. and learned Gentleman not now present (Mr. Roebuck), on the subject of corporal punishment—a matter to which he (Sir John Elley) had already addressed himself. The observation was to the effect that the French could distinguish on the field of slain the English soldiers from those of every other nation by the marks on their back. The hon. and learned Member for Bath had declared his own ignorance of the fact, and he (Sir John Elley) begged to inquire whence the hon. and learned Member derived his information. The House would perhaps be surprised to learn that the information came from a French serjeant—from a penny publication by that serjeant; but who that serjeant was, or whether he ever was a serjeant, the House had not been informed; but he would venture to say that the author, whether serjeant or not, had never seen a field of battle, and he ventured to say that a greater libel on the British army, or a more unfounded statement, never issued from the mouth or pen of man. The statement was of so exaggerated a character as to defeat the purpose of its author. He was but an humble individual, though he had participated in several hard-fought actions. He had witnessed many an ensanguined field, and he would state that it was impossible that any Frenchman could refer to such an index as that stated to discover the number of British slain; and this for the best of all reasons—namely, that after an action the Frenchmen invariably got away as fast as possible; the French after defeat never stopped to examine either the front or the rear of their enemies. But there was another good reason why the statement made by this French serjeant was unfounded, and that was the fact that there existed no necessity to strip a British soldier to discover his nation, for he was throughout the war distinguished by the colour of that uniform which covered the hearts of many brave men, who met successfully and defeated the most formidable legions that ever crossed the frontiers of France. Was it then necessary for Frenchmen, in order to know the nation their opponents served, to strip the British soldier of the uniform, the colour of which they had ever quailed at? He hoped that what he had just now said would have the effect of disabusing the public mind of the many false impressions which had been sent forth from this House on the subject of military punishments. He now, however, came back to the proceedings of the British legion under General Evans. After remaining some time at Vittoria, the French legion arrived there—a body disciplined in Algiers, and of a very different composition, from the British legion. The French legion was composed of Germans, French, some Poles, and a few Englishmen, but in point of discipline and composition it was held to be invidious to put the force under Gen. Evans in comparison with this corps, than which no better men could possibly be put under arms. He repeated that it would be invidious to put such a body of men in comparison with those who had undergone a forced march of the distressing and most fatiguing description, to which he had already adverted. The Spaniards, though a brave, were a jealous nation; they had never shown any affection for their best friends—they forgot that they owed their country as a nation to the success of a British army, and, as in most cases of ordinary life, they, as a nation, were regardless of gratitude for favours conferred. On the 16th of January last it appeared, however, that the British legion moved from Vittoria for the purpose of joining in the attack upon the Carlists. Now out of Vittoria there were three roads towards the North. He spoke from personal knowledge of the district, for he knew every inch of the ground, inasmuch as out of Vittoria he had followed with the British army, during the war, the French, who retreated with such expedition, that so far from stopping (as the French serjeant would say) to strip and examine the backs of the English, they left between 600 and 700 carriages behind them near the town, containing the great portion of the plunder they had taken in it. He repeated that there were three roads, two of them leading towards France, and the other towards Durango. The right and centre roads were occupied by the Carlists, and the road to the left by Generals Evans and Espartero. General Evans, on that occasion, succeeded in every part of the duty he was ordered to execute, and with his force crossed three bridges, and took up a good position; but, strange to say, the right and centre columns, the one under Cordova on the Tolosa road, the other under Espartero on the road leading by the left to Villareal, both retreated without any communication of the fact being made to General Evans. And what was the result? Why nearly the loss of his entire corps. There was no fault to be attributed to General Evans. He, however, remained in the position he had taken until the 20th of January, without the supplies that were absolutely necessary to the forces under his command—those forces exposed to bad weather during a most inclement season—without any covering under which the men could go; and eventually he fell back, and reported to General Cordova what he had done. This was the first communication that passed between Generals Evans and Cordova after leaving Vittoria. Here it was that the seeds of future schisms were sown, and to this these schisms might be traced. He was sorry to find that unpleasant feelings had arisen on this point in the mind of General Evans, who, he was sure, left, with his companions in arms, this country with perfect honour to themselves, and with the best wishes for success in the breasts of their fellow-countrymen. Those officers under General Evans who had served in the regular army, had had a most severe task to perform, inasmuch as another person, besides General Evans, a Spaniard of some rank, had appointed other officers to the British legion without General Evans's sanction or concurrence; indeed, some individuals had been appointed who were so unacquainted with military matters as scarcely to know on which side their swords were to dangle. As to the effect on Spanish affairs of the efforts of the British legion, and the subject in that respect generally, he left it to others to deal with that question. He should, however, have wished, that if any interference in the affairs of Spain had been made to stop the effusion of blood, and to lead to the termination of the contest—if, in a word, the interference was justifiable—he should have hoped that it would have been made in a way calculated to make an impression. The hon. and learned Gentleman opposite had paid a high compliment to the British army, by saying that three battalions of British regular troops would set all at rest in Spain. Now he (Sir John Elley) after some experience, would say that ten times three battalions were necessary, for he was satisfied, that without a great preponderating force, no good could be effected. In a word, if by the scale of assistance afforded, that assistance only played second in the concert of arms, the British troops would be paralysed for want of accordance on the part of those of Spain. He had hoped that the Government would interfere in a way becoming that dignity which the world admitted this country to possess amongst nations, and that thus the sanguinary war would have been brought to a termination. He trusted also that General Evans would not be reinforced by mere dribblets, by which no beneficial result could possibly be attained. On a former occasion, during the last Session, he had told his hon. and gallant Friend to look well to the sinews of war—in other words, to look to six months' pay well secured in the treasury chest. His hon. and gallant Friend said thereon smilingly, that two months' pay would answer every purpose, for that at all events he could look to Spanish treasure. He (Sir John Elley) had responded, that as soon as blood could be extracted from a post, so soon the miracle of reaching Spanish treasure would be worked out. Results had occurred in confirmation of his views, for he found that in November last the estimates sent for a month's pay then due amounted to 1,300*l.* and that all advanced to liquidate that amount from the military chest was 250*l.* He feared he had been too diffuse on the present occasion, but he trusted he had not made a single observation at all calculated to give pain to any individual. He had no such intention when he rose, and he hoped he had not strayed so as to hurt the feelings of any person in the world.

Colonel *Thompson* said, that as an officer in his Majesty's service, and he believed he might say, without risk of error, holding also a place in the establishment of the British legion in the United Kingdom, for his insertion in the list had only been delayed by accidental circumstances, he wished to offer some observations to the House. He could not but thank the hon. and gallant Officer who had just sat down for the courtesy with which he had dealt with this question. Having, he believed, access to as complete information on every thing connected with the British legion as any man in this country, he should endeavour, with equal courtesy, to make some statements in reply. The first appearance of the legion before the enemy was at Hernani. There were always difficulties in deciding when and how a new-raised force should be brought before the enemy. If it was not brought at all, the question was asked, how it was ever to learn; and if it was brought, there was always a danger of failure. At Hernani the legion was brought before a position which was found too strong, and it consequently retreated, followed closely by the enemy. Was this a thing of which the like had never been heard before? At that moment no part of the legion had been formed above two months; and the wonder was, not that they lost ten or twenty men in the retreat, but that they got back without serious loss. There certainly had, as was stated by the commander in his account, been some degree of misadventure or misunderstanding at Hernani. An officer who was in the action wrote to him (Colonel Thompson)—"We had a trinity of generals, and I am afraid not a trinity in unity." Was this the first time complaint had been made of mischief arising from the same cause? The next time any part of the legion was in action was at Bilboa. A Spanish division of 15,000 men left Bilboa, and was driven back. The British legion was brought to support the retreat of the Spaniards; and a part of one regiment attacked the enemy with the bayonet, and drove him back with loss. After this the retreat was uninterrupted. The same officer he had mentioned wrote to him thus:—"Our regiment brought up the rear, but nobody attacked us." From Bilboa General Evans proceeded to Briviesca; but instead of losing three or four thousand men in the defiles between that place and Bilboa, he had taken a circuit, and arrived at his point without being interrupted by the enemy. Since when had a general been bound to ask an enemy's leave for avoiding engaging his troops at a disadvantage? So convinced had he (Colonel Thompson) been upon this point, and he was proud to find his opinion confirmed by the practice of General Evans, that he had written to an officer of his acquaintance in the legion, "You must not allow the Carlists to come in contact with you; if you go round by Corunna for it." From Vittoria, a general movement had been directed in advance. The British legion (which occupied the right, and not the left, as the gallant General, probably through a verbal error, had stated) did everything it was directed to do. The enemy (and he did not mean anything derogatory to their military conduct) had everywhere retired as the legion advanced. But the Spanish general on the left, for reasons assigned in his own report, had fallen back, which necessarily obliged the legion to do the same. Something had been said to the House, from a civil not a military authority, about a fog. Now, fogs affected all parties; and military men could not agree, that the credit of a corps was ruined and gone, because there happened to be a fog. The truth was, that the fog was in favour of attacks on the retreating force; and the proof was that part of the Algerine legion had been so attacked at great disadvantage, and nothing but the courage of that gallant body of foreigners preserved them from destruction. The policy of affording the Spanish government assistance in the particular mode pursued had been questioned? but he (Colonel Thompson) saw two reasons which were to him convincing in support of it. The one was that the Spanish nation, from a feeling of national pride, objected to receive assistance in any other way. They desired that the troops which should assist them should be in their service, not lent them by the kindness of another government. That this was a practice not inconsistent with British notions of national honour there was abundant proof. Had the House never heard of Corsican, Hanoverian, Swiss, and other regiments in the service and pay of England? Had the national honour ever been questioned in consequence of such employment of foreign troops? The other reason which convinced him (Colonel Thompson) of the expediency of this mode of assisting the Spaniards was, that it enabled this country to afford the assistance while another country paid for it. Had battalions of the regular army been sent, instead of the forces under the command of General Evans, the British nation must have paid the expense. It had been urged that the men composing the legion were of a bad class, but he (Colonel Thompson) had found the reverse to be the case. What proof was there that the men who had enlisted to form that legion did not belong to precisely the same class as that from which the soldiers of the line were drawn? Many of them were respectable tradesmen's sons, who had embarked in the expedition from a political feeling for the Spanish cause. He had heard something said about "characters" and "lust of plunder." Now there was no rule more clear than that whoever made a charge against gallant men in their absence was bound to prove it, or submit to the imputation of having made an unfounded charge. What had the legion done? Had they plundered, as it was certain the old army did at Badajos? Had they ravished, as there was but too much reason to apprehend the old army had done at St. Sebastian? Where was the proof that any single officer or soldier had misconducted himself in any way? If officer or man had misconducted themselves, let them be laid on the floor of the House—let their names be put upon the Table. If this was not done, he hoped, for the credit of the House, that no more would be heard of charges of this kind, which only proved that the legion was an object of political animosity. He lamented as much as any man the cruel mode in which the war was carried on; but it arose out of a horrible law, not peculiar to Spain, according to which every gallant man who fails in civil warfare is doomed to death. That barbarous law, be it recollected, was carried into full effect in this civilised country only forty years ago, at the period of the Irish rebellion. For his own part, he was ready to declare, as a soldier, that he never would act as an executioner on such occasions; but why should Spaniards be so harshly blamed for doing that which had at a former period been done by generals within our own kingdom? There was a moment when a stop might have been put to these cruelties in Spain. A corps was in that country which would have delighted to rescue the Carlist prisoners from the bayonets of their Christino enemies, had not an atrocious decree been issued, directing that every Englishman taken in battle should be shot. The reproach of cold-blooded cruelty would ever attach to the memory of the individual from whom that decree proceeded; and he (Colonel Thompson(still trusted, that that great criminal would die the death of a *common* felon on a tree. Then only would the outraged feelings of civilised Europe be satisfied. Was this a time for raising up the question, whether royal birth gave license to sport with the blood of low-born men? Within the walls of the House of Commons the nation had once been roused to fury by the mutilated head of a single British subject, deprived of its members through the cruelty of a Spanish governor. Would the nation be more passive now, when the "deliberate murder" of numerous British subjects had been authenticated under ministerial hands?

Lord *Mahon*, having been several times mentioned in the course of the debate, and taking the strongest interest in this question, hoped the House would allow him to make a few observations. He must say in the first place, that he adhered to all those opinions which he had expressed, when on a former occasion he had addressed the House on this subject. Nay more, he ventured to think, that experience had confirmed his anticipations, so far as experience had yet gone. He had said that the force then about to be raised would be inadequate to its object. He asked now had that object been attained? He had said that the result of the expedition would not be found to redound to the glory of the British arms. Had any, even the smallest, exploit been achieved? He had anticipated the suffering and privations to which the gallant officer and his troops would be exposed, and he found the reality to exceed his worst anticipations. He had predicted that this expedition would not increase the influence and reputation of this country with Foreign Powers. And how stood the case in that respect? Need he seek any other answer than that which he had received from the noble Lord opposite (Palmerston), with respect to the twenty-seven prisoners at Santander. How low the power of the English Government must be in the estimation of other governments, when even that Government which we were so lavishly assisting with blood and treasure—to which such vast supplies of stores were daily pouring, when even that Government refused the noble Lord the trifling boon for which he applied on the 1st of September. It was a trifling boon to ask as regarded Spain, but the refusal was by no means so trifling to us; it involved the interests of humanity; it involved, at least after the application was once made, the honour of the English name. Now he contended that the failure of the application of the noble Lord to the Spanish government in the instance adverted to, was a most melancholy proof of the want of influence of his Majesty's Government, with a government which under present circumstances he could scarcely call an independent government. He would not follow the hon. and gallant Officers who had last addressed the House, through the military details into which they had entered. He was incompetent to such a task, and therefore he should confine himself to the political points which had been touched upon in the earlier part of the debate. The real question was limited to very narrow grounds. It was simply this, whether or not the Spanish people had not always shown such abhorrence of foreign interference in their internal affairs as to render that interference more detrimental than beneficial to the cause in favour of which it was exerted? This feeling had at all times and on every occasion that he knew of been evinced in a remarkable degree by the people of Spain. When the hon. Member for St. Alban's adduced 1808 as a precedent to the contrary, he was guilty of a fallacy unworthy his acute mind. It was true that the Spanish people had always shown great gratitude for the assistance they had received against a foreign enemy, and this was exemplified when this country united with them in 1808 against the invasion of Buonaparte. But when we had stepped in, not to aid the nation against another nation—but to assist one faction against another faction—then the result had been national animosity against us. Interference in the internal affairs of Spain was attempted at the period of the war of the succession, but what was then the observation of Lord Peterborough? Why, he declared that not the whole power of England would be able to subdue the spirit which it had aroused throughout Castile. And what was the result of that war? Why final failure. He maintained that, however grateful the people of Spain might be for the aid given to them when at war with Foreign Powers, they never could endure the assistance that was given to one faction against another in their own country. If the government of the Queen was not supported by a large majority of the Spanish people, what right had we to prop it by foreign bayonets? If that government, on the contrary, was supported by a large majority, he asked whether the physical force of a majority could not always put down any insurrection that might be got up by a small minority? Could it not do so in all cases where the majority proceeded on just and reasonable principles—where it did not begin a system of extermination—where it had not such merciless and bloody generals as Mina and Rodil. He maintained that the course which his Majesty's Government had taken was not consistent with the interest or honour of England. If we were determined to assist the government of Spain—that friendly government which would not gran us even the liberty of twenty-seven prisoners—that vigorous government whose vigour had lately been confined to burning of villages and massacres of prisoners—if we were so determined, surely that assistance should be limited to the means pointed out by the Quadruple Treaty. He must say, that he for one recognised that treaty; he was prepared most fully and most honourably to carry out all its stipulations, and he hoped no Government which might exist in this country would ever do otherwise than respect the treaties which had been entered into by their predecessors with foreign powers. But he took his stand on that treaty and its additional articles. He would not consent to move one jot beyond them. By the course which had been adopted, had not British subjects been induced to attempt that which the British Government did not wish themselves to achieve? It was, he contended, lowering the characters of Englishmen to allow them as a body to serve under any banner but that of their own King and Country. Throughout the whole of the debate, not a single word had been said about the evils which had occurred in other parts of Spain. He did not intend to go into that subject, but he must, at the same time, say, that he should be very glad to receive some information from the noble Lord respecting it. He alluded to the transactions which had taken place at Barcelona. Now, what he wished to ask the noble Lord, in reference to that subject, was, whether Captain Parker had acted on his own responsibility, or under instructions which had been given him by the Government at home, and if he had acted under instructions from the noble Lord, and not upon his own responsibility, whether the noble Lord would have any objection to lay those instructions before the House? Until he (Lord Mahon) had received this information he should refrain from further observation, than merely to say that the transaction was one which loudly called for inquiry on the part of that House. The hon. and learned Member for Dublin (Mr. O'Connell) it would seem, now blamed the convention brought about by the able negotiation of Lord Eliot. If anything coming from the Hon. and learned Gentleman could surprise him, it would be the blame which he had attached to that convention, remembering, as he did, the observations which the hon. and learned Gentleman had made when the subject was brought forward by the hon. Member for Finsbury (Mr. T. Duncombe). What did the hon. and learned Member for Dublin say on that occasion? Why, he declared that the explanation which he (Lord Mahon) had given was most satisfactory and complete. and even went so far as to advise his hon. Friend, the Member for Finsbury, to withdraw his motion. After this he could be surprised at nothing which might proceed from the hon. and learned Gentleman, and his only wonder was, that the hon. and learned Gentleman did not feel ashamed of the inconsistency of which he had been guilty in attacking that now, the attacks on which he had at a former period declared to be utterly groundless. He (Lord Mahon) doubted whether it would be necessary to proceed in the refutation of his remaining statements. The hon. and learned Member for Dublin had stated, that the present motion had been brought forward by the partisans of Don Carlos in that House, merely because Don Carlos was likely to establish a despotic and monkish Government in Spain. Such a taunt, it must be admitted, came with a bad grace from the hon. and learned Gentleman. Whenever Ireland was mentioned, the hon. and learned Member was always ready to charge the hon. Gentlemen on the other side of the House with all sorts of illiberal prejudices and projects against the Roman Catholics. But says the hon. Member, with his own peculiar candour, the moment you pass the Pyrennees, the case is quite altered—you are then warm admirers of Roman Catholic bigotry—you are quite in love with the Jesuits—you long for nothing so much as the enthronement of Don Carlos, and the establishment of the Inquisition! When he (Lord Mahon) heard such contradictory charges made almost in the same breath by the same persons, had he not a right to complain, not only of the injustice to his own party, but of such a delusion on the public. As far as his own feelings went, he had no objection to state, that he did look on the contest carrying on in Spain with deep interest; but he at the same time utterly denied that he was a partisan of Don Carlos. He reprobated the decree of Durango as much as he did the atrocities which were committed by the other conflicting party, and, certainly, if it were true that the cause of Don Carlos was the cause of tyranny, or would lay the foundation for the re-establishment of the Inquisition in Spain, he should be as anxious as any hon. Member of that House to deprecate any thing that might lead even to a chance of success. But, on the other hand, he must say, that looking to the Ministers now governing at Madrid, he could not profess for them any degree either of sympathy or respect. That "prudent and vigorous government," as it was called in the King's Speech, had he thought, kept all its prudence for its generals, and all its vigour for its executioners. Six months ago he saw that the government of Spain were departing from the wise principles of Martinez de la Rosa; and he must say, that his idea at present was with respect to the contest in that country, that if there was the danger of despotism to be apprehended on the one hand, they had the prospect of anarchy to fear on the other, and to neither was he friendly, even when despotism called itself legitimacy, or when Anarchy took the name of Freedom. The only chance of a speedy and satisfactory settlement of the affairs of Spain, which he saw, was to leave the Spanish people to settle their differences among themselves, for sure he was, that interference on the part of a foreign power, so far from abating the evils of that country, would only tend to increase them, by keeping alive the spirit of rancour and animosity which unhappily prevailed. There was only one point more to which he should call the attention of the House. He admitted that if Don Carlos should prevail, there would be the danger of absolute power being again established in Spain. But what was the case with respect to the Basque provinces? So far as the cause of Don Carlos was connected with the Basque provinces was it not the cause of freedom, and not of despotism? It was not by Don Carlos that the rights of those provinces were abolished, but by the "prudent and vigorous" government of the Queen of Spain. Was the House really aware of the facts? Was it aware that these brave mountaineers were now in arms, not merely for the claims of Don Carlos, but for the provincial privileges which their forefathers had enjoyed for centuries? And could it be that such a cause should excite no sympathy among the representatives of a free people-- among those who, were they treated in like manner, would think it a pride and duty to follow the same example! Now, if the noble Lord really possessed great influence with the Spanish government, ought he not to have exerted it for the purpose of obtaining such an amnesty as would have restored to the Basque provinces the rights and privileges which they had so long enjoyed; for it could not be supposed that those provinces would resign the advantages which they possessed upon the mere hope of obtaining a prize from the great lottery of laws and institutions now drawing at Madrid. He could not suppose that the noble Lord ever entertained any such idea; and he did think that the noble Lord had been neglectful of his duty in that respect. He (Lord Mahon) felt most strongly on this subject. He felt a deeper interest in the affairs of Spain than in those of any other country except his own. Some of the early part of his life had been passed in that country, and it was to Spain that he owed the origin not only of the fortune which he inherited but of the name which he bore. Spain was therefore endeared to him, not only by early recollections but by his personal circumstances, and hence it was, that he felt it his duty to protest against an interference which he was satisfied would be ruinous to Spain without being even in the least beneficial to England. The public attention was now arousing to this subject, they would no longer bear this juggle of professed non-intervention, and real intervention—this pretence of giving peace to Spain, when you give her no peace—no peace but a sword; when you only perpetuate and envenom the wounds of her civil war! He entreated the noble Lord to abide by the terms of the Quadruple Treaty, and not to advance a step further beyond it. He entreated the noble Lord to endeavour to mitigate the horrors of this barbarous conflict. And if the noble Lord took that course, he (Lord Mahon) could assure him that no party feeling would prevent him from bearing his humble testimony of approbation to his future measures.

Viscount *Palmerston* commenced his observations by saying, he was sorry to interfere between his hon. Friend Mr. Thomas Duncombe, who had risen with his Lordship and the House, but he assured him that he should not detain the House so long as to exclude him from an ample opportunity of answering the remarks which had fallen from the other side with reference to him, and which, no doubt, he was anxious to reply to. He was afraid when the noble Lord opposite rose, that this debate was going to die a natural death; for though the fire was kept up pretty briskly on this (the Ministerial) side of the House, yet it was easy to see, that the ardour which had warmed hon. Gentlemen on the other side, was in some danger of being altogether extinguished. The hon. and learned Gentleman who began this debate, having stated that he considered it exceedingly important to bring the subject before the House, struggled for precedence with the hon. Gentleman who wished to bring forward another question which was adjourned to this evening, and at last prevailed, having, it must be presumed, satisfied the House of the extreme urgency of the motion of which he had given notice. Any one who had seen the fervour—any one who had witnessed the great impatience of the hon. and learned Gentleman, would no doubt have imagined that the subject was either some measure into which the Government were about rashly to embark, or some measure of recent date, of which he was anxious to prevent the evil consequences, by stretching forth his saving hand, and directing back the Government from the imprudent course they had entered upon. Let the House suppose—according to the illustration of the hon. and learned Gentleman—that a stranger had witnessed these proceedings; and having learned that the motion had reference to a treaty and order in council, had rushed to the library of the House to see the date of the treaty, and the date on which the order in council was issued. The result of such an investigation would be the discovery that the treaty was two years old; and the order in council was issued, not in January last, but in June, 1835. The hon. and learned Gentleman, then, having had ample time to reflect on the subject—the time between the date of the order, viz. the 10th of June and the period when Parliament was prorogued, that is, last September, not having been sufficiently long to enable him to condense his ideas into a practical shape, so as to satisfy him whether it was his duty or not to call on the House to interpose; after eight months' deliberation, the hon. and learned Gentleman gets up with this motion, and to answer a speech which in the month of June was made by him. The deliberation of the hon. and learned Gentleman at one time, and his very particular impatience at another, made a contrast which was undoubtedly very striking and remarkable. The hon. and learned Gentleman began his speech by answering some of the things which had fallen from him so long ago, and the hon. Member said, that he had thrown overboard all precedent, and contended that this measure of permitting the subjects of Great Britain to enlist in the service of Spain was contrary to all precedent, but being right in itself, should stand on its own merits. Now, he begged to remind the hon. and learned Gentleman that this was not a correct representation of the argument which he used on that occasion. What he did say was, that he did not rest on precedent for a justification of the course he had adopted; but by no means did he say, that it was not sanctioned by precedent, because every man who had paid the slightest attention to history, must know there were many precedents for a measure such as the present. The hon. and learned Member must surely be aware that the reign of Elizabeth was full of precedents—not, perhaps, exactly in point, because those cases were much stronger than the present one. The measure complained of by the hon. and learned Gentleman was simply a permission given, or, he should rather say, a prohibition retracted, which a recent law had imposed on the subjects of this country, to prevent them from entering into a foreign service. The effect of the order in counsel was simply to leave the matter as it was under the common law—as it was before the Foreign Enlistment Act had passed. That order in council was merely to restore to the British people the freedom of choice. They might stay at home if they pleased, but it drew from them the interdict which the statute law had interposed, to prevent them from joining in a noble undertaking, if that was their desire. Let him ask what were the precedents of Elizabeth? In the time of Charles I. were the cases merely those in which the King's subjects were free to do as they chose? Directly the reverse. These were cases with which the hon. and learned Gentleman must be acquainted. He must know that Queen Elizabeth sent first to assist the Huguenots in France, and next the revolted subjects in Spain; and not only gave her subjects permission to engage in the war, but did that which the present Government had been accused of doing—she accomplished, in an indirect and underhand way what she did not choose to do openly. Being restrained by prudential reasons from openly declaring war in her own name, she not only gave permission to her subjects to engage in the war, but gave money and other efficient aid—sent 6,000 men to assist the Huguenots, and 6,000 men to the Low Countries, furnished them with arms, supplied her own artillery—did, in short, not only what had been done by the Government of which he was a member in the present case, but took a more active part in the way of interfering. The precedent of Charles I. was of exactly the same description. Charles raised the army which marched under the Marquess of Hamilton. Could it be said, then, that there were no precedents for the measures of the present Government? He had heard it asserted, also, that it was contrary to the laws of nations for the subjects of one power to fight in the country and under the banners of another. Why, really, did the hon. and learned Member suppose that the hon. Gentlemen to whom such arguments were addressed.—[Mr. *Maclean* did not say what the noble Lord attributed to him.] Well, then, the hon. and learned Gentleman had said, that such a course was contrary to the honour of nations, and the practice of nations, and a thing improper and deserving of the censure of the House. Why, what happened at the time of the revolt in the Low Countries? The army of Prince Maurice was composed of men of all nations, whose love of freedom induced them to fight in his ranks, and by their gallant conduct secure those victories by which he was distinguished. In that battle which was fought in Nieuport, the auxiliaries were mainly instrumental in securing the victory. When Ostend was taken, who were the officers who commanded the garrison? Were they not Dutchmen with Hepburn, the Scotchman, and Sir Philip de Vere, the Englishman? To say, when the subjects of one country were fighting in the ranks and under the banners of another country, and on that account any man was justified in denouncing such persons, or declaring he would put them to death because he was interfering in the affairs of another country, and no foreigner had a right to fight under any banners but his own, of that doctrine, when propounded, he would say, that it was false, and contrary to the stream of historical facts in every part of Europe. Then the hon. and learned Gentleman said, that the precedents were not in point—why, he was at a loss to make out. In the case of Queen Elizabeth, it was English troops fighting in the Netherlands, as in this case, it was English troops fighting in Spain. The hon. and learned Gentleman laid stress on this—that our troops were now fighting on Spanish ground, and not under the chief command of an English officer; but in the cases he had quoted a course precisely similar was taken: our auxiliaries, though commanded by British generals, were embodied in an army the chief command of which was vested in a foreigner. The hon. and learned Gentleman next affirmed that he condemned the conduct of the present Government in this matter on the authority of the late Mr. Canning, and he referred to a speech made by Mr. Canning in a case as different from this as it was possible for one case to be from another. There was not the least similarity between the entrance of the French into Spain in 1823, and the motives which led the English Government to decline interfering then, and the circumstances now under the consideration of the House. There was no question of disputed succession, nor could those motives exist which induced the present Government to give the aid which by the treaty they thought it proper to afford. Mr. Canning asserted the right to interfere then, but argued that, as a matter of prudence, it was proper to abstain from using that right. And why was it a matter of prudence? Because the Powers with which England would have had to contend were probably greater than she could have contended with with a fair prospect of success. The French army, amounting to nearly 200,000 men, entered Spain; it was well known that the troops entered Spain under the avowed and open sanction of the other great Powers of Europe, and Mr. Canning said that if this country sent troops into Spain, they would encounter the other great Powers, and a war would be the consequence of a magnitude such as the Government of the day was not prepared, under the circumstances, to advise the country to embark in. He thought the Government of that day judged wisely; but so far from thinking that the reasons which induced them to take that course applied to the present case, he was of opinion that the principle then laid down the principle of assisting Spain to maintain her independence had been acted upon by the present Government, taking care not to embark beyond our means, or beyond what it would be wise to undertake. The hon. and learned Gentleman said, that at all events the interference would bring down upon us the hatred of the Spanish nation, and he drew his inference, he said, from the fact, that on the former occasion, though we went to relieve them from foreign domination, even in that instance they saw with joy the embarkation of our troops. Why, he would ask the hon. and learned Gentleman, what country in the world was there which would not feel exactly the same? What nation was there that was fond of a foreign army on its own ground? We ourselves must be thankful for assistance if so great a calamity befel us as an invasion, but, when our deliverance was effected, none would be more glad to see the friends who had assisted us take leave of us than this nation. It was not fair to reproach Spain with ingratitude, nor was her rejoicing in the departure from her shores of foreign troops a proof that our assistance was not wisely given. It was quite natural that, when a contest was over, a nation should be glad to get rid of a foreign army. The hon. and learned Gentleman reminded them of the very wise advice which the gallant Gentleman opposite gave to General Evans before he left the country, which was always to have six months' pay in advance in his chest. The hon. and gallant Gentleman had shown his talents in every field of battle in which he had been engaged, and his encounters had been many and difficult, but he must say, that the advice he gave did great and surpassing credit to his judgment and sagacity. He much regretted that General Evans had been unable to take that excellent advice, but no reflections could, on that account, be cast on the gallant General. If the Spanish Treasury could have afforded the means of keeping the military chest so well replenished, no doubt there would have been adopted every other description of counsel which they were so glad to receive from the gallant General. How far the present motion of the hon. and learned Gentleman might have the effect of preventing him from having six months' pay in advance—how far, by endeavouring to throw discredit on the cause, by taunting the British force, and reviling them as mercenaries, by representing the contest as hopeless, by representing the people as apathetic, and by admonishing the Queen—how far it might be thought that, by such practices, additional difficulties would be thrown in the way of our countrymen, it was not for him to decide; but he was persuaded that the tone of the House this night, and the feeling of the public, would not render such attempts successful, even if they were made. On the contrary, he was convinced, that the more the matter was discussed, the more the question was gone into, the more general and deep would be the wish for the success of the Queen--of that cause which was the cause of constitutional liberty and the defence of which had been most nobly undertaken by our gallant countrymen. They might be taunted, they might be spoken of with disrespect, but he never could believe—nor would it be believed by the people of England——that either in the hour of suffering or privation, or in the day of battle—that at any time, or under any circumstances, they would fail to sustain the name and the honour of British subjects. The hon. and learned Gentleman considered the measure of promoting the enlistment of the troops, as grossly impolitic; but one of the hon. Member's reasons did not appear to him quite so weighty as it was considered by the hon. and learned Gentleman himself. He said nothing was so ill-advised as sending English troops to fight in a foreign country, more especially if their numbers were not great, and they were liable to the dishonour of being forced to retreat. In illustration of this position an instance had been referred to, in which the British army had been obliged to retreat in consequence of being caught in a fog. The hon. and learned Gentleman, however, did not explain whether the fog or the retreat justified the charge. The hon. and learned Gentleman should have remembered that fogs were impartial. They were not like his Majesty's Government, according to the description of their opponents, all on one side. They appeared on both sides, not on one side alone, therefore the mischance of a fog was surely no reason why it should cover either party with dishonour. But he would appeal to gallant officers whom he saw opposite, to tell the House whether they ever went through a campaign in which none of the troops under their command ever retreated—in which, however small the number being resisted, they were able invariably to overcome the force opposed to them. If that was the only case the hon. and learned Gentleman was able to make out—if his only objection was, that the British troops being exposed to a fog were liable to a retreat, or might retreat occasionally before a superior force—if the hon. and learned Gentleman, during the eight months he had been in cogitation, had not been able to discover any more serious charge than that—if he had made it the subject of a resolution, he questioned if the House would have considered it a sufficient ground on which to censure his Majesty's Government. The fog, however, was not the only apprehension of the hon. Gentleman, for he told them that if Austria, and Russia, and Naples had joined Don Carlos, England would have found herself under the necessity of embarking in a war with those countries. Would the hon. Gentleman say whether such an obligation arose out of the Order in Council or out of the treaty? If the hon. Gentleman said it arose out of the Order in Council, he denied the assertion. If the hon. Gentleman said it was part of the obligation created originally by treaty, that we should stand by those powers with which we were in alliance, undoubtedly his assertion was true; but as he understood the object of the hon. and learned Gentleman's speech, it was to show not the impolicy of the treaty, but the impolicy of the Order in Council, and he confessed he was at a loss to understand how any danger of a collision with Austria, Russia, and Naples, could arise out of the Order in Council more than from the treaty. But the hon. and learned Gentleman said, that one great triumph had been achieved by the course taken, for he asserted that it had settled a question which six Spanish lawyers had decided in one way and six in another. If the Ministers had been able to arrange so knotty a dispute as that, whether they could claim the merit of being successful war-makers or not, at least they were entitled to the merit of being successful mediators. The hon. Gentleman said, that by treaty England was bound to give arms and succour, and France had nothing else to do but to watch her frontiers, and prevent a supply passing them. It certainly did appear that the obligation contracted by England was greater than that of France. But when the hon. Gentleman came to consider that between the southern provinces of France and the northern provinces of Spain there was a great and constant commercial intercourse, and when he considered also that, in order to execute the engagement made by France, it had been necessary almost to put a stop to that intercourse, the hon. Gentleman would conceive that the faithful and complete execution of that article was imposing on France sacrifices far greater than those which our convention had imposed on this country. He begged further to say, that though Spain had been furnished with a considerable quantity of arms, as would appear by the papers laid on the Table, yet the Spanish Government had undertaken to pay the whole. The hon. Gentleman might insinuate that there would be some doubt as to the payment if Don Carlos were successful, but as he (Viscount Palmerston) hoped and trusted that that event was not likely to take place, he did not feel any doubt as to the punctuality with which Spain would redeem her engagement. He did not feel much doubt upon this subject, notwithstanding the high authority that had been produced by the hon. and learned Gentleman. He founded his opinion, not upon any book, not upon any particular document, but upon the general principles of human nature—on the belief of what were the feelings of the Spanish people—on his conviction, with such a cause as that of Don Carlos, and with such a cause as that of the great majority of the Spanish nation, it was impossible that the right cause should not prevail; and therefore it was, that he would not believe the success of Don Carlos was possible, until he saw Don Carlos descend from the modest retirement of the mountains in which he now sheltered himself; and until Don Carlos was surrounded with the acclamations of nine-tenths of the Spanish nation, and installed in his proper place, in all the magnificence of the Escurial. The hon. Gentleman had stated, that he conceived not only the Government should not have issued the Order in Council, but that they were also precluded by the treaty from having recourse to it. He confessed he did not understand by what process of reasoning the hon. Member had arrived at that conclusion. If the noble Lord who declared that the Government, so far as the treaty was concerned, was bound to abide by it, but that they should not have gone one step beyond it—if the noble Lord had said that, though he disapproved of the treaty (as he understood the noble Lord), then he should be able to comprehend the logic and sense of the assertion. But the hon. Gentleman argued that the Government was wrong in issuing an Order in Council, because it did not form a part of the stipulations of the treaty. Would it not, he would ask, be just as easy, when the Spanish Government asked for permission for British subjects to enlist in its service, to have made another additional article to the treaty, as to have issued an Order in Council, and if it had done that, where would be the argument of the hon. Member opposite. The noble Lord had asked whether the captain of the Rodney acted upon a late occasion in consequence of orders from his Government, and if so, whether the instructions given would be laid upon the Table? He could tell the noble Lord that the captain of the Rodney acted in conformity with the instructions that had been given to him. The captain of the Rodney had done what the Government was most ready to acknowledge, and which they would not shrink from avowing. The noble Lord did not state what the captain of the Rodney had done; but he could only state the captain had acted up to, and in accordance with, the orders he had received. But if he were asked to lay the instructions given to that captain upon the Table, his answer should be, that it was not during the execution of instructions customary to lay upon the Table instructions given to captains, either by sea or land. The great charge made rested upon one point. The charge of the hon. Member rested upon this—that the Ministry had given support to the Queen of Spain, and that the people of England had no interest in the success of her arms. On that point he was at issue with the hon. and learned Member. On that point he was willing to rest the justification of the whole course of their proceedings on this question. If England had no interest in the success of the Queen's arms, then, undoubtedly, they had no right to conclude a treaty, and they were not justified in issuing the order in council. But England had an interest in the success of that cause. It was the interest of England that Spain should be free, and that Spain should be prosperous. It was for the interest of England, whether Spain was a friend or an enemy, that she should be independent, to preserve the balance of power in Europe; or whether, even they were to look at it in the narrow view of her being a nation trading with England, it was their interest that the resources and the wealth of Spain should be developed, and that Spain should receive the benefits of that Constitution which Martinez de la Rosa (and of whom the noble Lord had spoken in such high terms) had laboured to procure for her. It was of importance to England that Spain should no longer be under such a state of misrule as during the reign of Ferdinand, and to which she would return if Don Carlos ascended the throne. The Government had been accused that night, as on former occasions, with interference in the affairs of other nations. In observing upon the treaty, and the order in council, there was the same perversion of terms upon "non-interference." The Government was accused of meddling too much in the affairs of other nations. He should be glad to know from the hon. and learned Gentleman at what period of English history the Government of this country had not interfered in the affairs of other nations. England must do so as long as she had commerce to protect, and shores to defend. If they did not show a determination to guard their own interests, to preserve their own honour, and to uphold their own character, the time would very soon come when other countries would interfere with their affairs. But the question was this—it ought to be this—Was their interference proper? Was it for their own advantage? Was it for the advantage of the countries which had been the scenes of that interference? He said, that they had interfered in the affairs of Greece. He referred to their interference in that country, and that country had become free and independent. The Greeks, who had been "pirates by sea, and robbers by land," as they had been the other night stigmatised by the hon. Member for Southampton, were now settling down into the arts of peace, they were building cities, they were founding towns, were cultivating lands, were extending their commerce, and daily increasing in civilization, peace, and happiness. Where did the Government next interfere? In Belgium. Was Belgium worse off for their interference? Had any man in that House been in Belgium in the course of the last year, and would that person tell him that it was not one of the most prosperous countries in Europe, having a king of its own choice, and though being in a state of half peace and half war, having a large army, necessarily maintaining a defensive force, and yet finding the means to bear the expenses of the year without having recourse to a loan, and without even heavy taxation on its population? And yet these very people who, when they belonged to one master or another, were regarded as the most turbulent and discontented people in Europe, had now become a most happy and prosperous nation. England had interfered, too, with Portugal—and that interference was supposed to be much worse than with respect to Spain. How did they find Portugal? They found her distracted by a civil war, and oppressed by the most grinding tyranny—they found the flower of her nobility in exile or in prison, property confiscated, liberty insecure, commerce suspended, industry at a stand—they found it in the most abject and degraded state in which a nation could be placed, and in what situation was she now? Enjoying a free constitution, with a queen of her own choice, parties almost annihilated, even the Miguelites reconciled to their legitimate sovereign, and they found, in so short a period, the nation in a course of prosperity, in which, he trusted, she would every day increase. With regard to Portugal, he would ask, had they not the same prophecies uttered that they now heard concerning Spain? Of Donna Maria it was said, that it would be utterly impossible to place her on the throne of Portugal—that the whole of the Portuguese nation was for Don Miguel—that he was the idol of the people, and that Donna Maria was supported only by a band of mercenaries, and that her success was beyond human possibility. Ministers were told, that they ought not even to imagine that she could ever get to Lisbon: they supported Donna Maria, however, even though they were told that their doing so would only tend to show their ignorance of the country, and to entail upon themselves disgrace. They now interfered in the affairs of Spain, and that in a more decided and positive way than they had interfered for the queen of Portugal. In the propriety of that interference he entertained one opinion and the hon. and learned Gentleman opposite another. He did not shrink from his anticipations upon this subject; and he begged to pin hon. Gentlemen opposite to theirs. He begged that their declarations upon this subject might be borne in mind, and let their political sagacity be tried by the result; and for his own part he would say, he was not afraid if the same test and the same mode of trial were fully and strictly applied to him.

Sir *Robert Peel:* The noble Lord began his speech by a facetious allusion to the surprise which a stranger suddenly spirited into that House would feel at hearing the present discussion, after having observed the anxiety with which the motion was pressed forward. But what proof does the noble Lord advance of the probable surprise that would be felt by the stranger? Why, this: that a debate, involving important questions of foreign policy, had been suffered to take precedence of a debate on some matters relating to the Municipal Corporation of Poole. If that stranger was a person who took no interest in any other subject, and was entirely engrossed by the question of Corporation Reform, I might possibly be able to understand his astonishment; but to suppose that the stranger would feel surprise that after a month since the assembling of Parliament an humble Member should think it right to call the attention of the House to an important subject of foreign policy, is to suppose such stranger more grossly ignorant than I would be willing to suppose any stranger of common sense to be. The noble Lord says, that the stranger would feel surprise at the anxiety that there was manifested to press this discussion; but if the stranger were made acquainted with our forms, he would see that this discussion did not arise on the proposition of my hon. Friend, but on the noble Lord's opposite, and if the stranger were impartial he must acquit my hon. Friend; for though the noble Lord, as well as myself, was absent from the House last night, yet his duties as leader of the House must make him perfectly aware of what occurs, and the public must have been fully acquainted with what had taken place. The noble Lord (Lord J. Russell) was the person who moved that the Order of the Day for the House going into Committee of Supply be read, and he certainly could not have done so for the purpose of postponing the present motion, but, on the contrary, for the express purpose of inviting this discussion, of which repeated notice had been given, and to which allusion was made at the time; and it was not until the hon. Member for Poole reminded the noble Lord of the adjourned debate on his motion, that the noble Lord interfered. The hon. Member for St. Alban's has expressed some surprise that his hon. Friend has not brought forward his motion in the shape of a specific resolution, as the motion involves a censure upon the Government. But if he refers to the practice of this House, both in ancient and modern times, he will find that it has always been considered a most convenient and proper time to enter upon discussions of this nature when the House is about to go into a Committee of Supply. The hon. Gentleman will find that in some of the most recent periods, as well as at various periods of the history of Parliament, some of the most important discussions on questions of foreign as well as of domestic policy have taken place on the motion for going into Committee of Supply. We are now about to vote the Ordnance Estimates, and I certainly do not think that there could be a more proper occasion for such a motion as the present to come before the House. I find in this printed paper a statement of all the stores that have been furnished for the service of the Queen of Spain. I do not want to go into any question as to whether the Government were bound to furnish those supplies or not. On that subject there can be no altercation. Government were certainly bound to furnish those supplies, and the first part of them was furnished last year by the Government over which I had the honour to preside. But it is quite another question to consider the extent to which those supplies should be furnished. I hold in my hand a paper containing the following statement of the supplies that have been furnished. I am surprised to see the hon. Member for Middlesex reposing whilst a question of this particular nature is under discussion. [Mr. *Hume* (rousing)—I was sent to sleep by your speaking half an hour to little purpose.]—The hon. Member tells me that I have been speaking very little to the purpose for the last half hour. Now, the fact happens to be that I have not been upon my legs for more than the last five minutes, so that for the other twenty-five minutes of dulness and inapplicable reasoning it is not I but the noble Lord opposite who is answerable. I thought, when I was adverting to the Ordnance Estimates, that I touched a chord to which the hon. Member for Middlesex would respond. I own I did not expect the hon. Member's attention to any general observations on a question of foreign policy; but I hoped, without intending to be guilty of any unfairness, to awaken the attention of the hon. Member when I talked of a Vote of Supply. The Order of the Day is a Vote of Supply on the Ordnance Estimates; and here I may notice that this is the first time in my experience in which the vote for the supply of the Ordnance has preceded the vote either for the army or the navy, the Order of the Day being, as I said before, a Vote of Supply for the Ordnance, nothing could be more appropriate, or indeed more germane to the matter, than that those who doubt the policy of the course which the Government is pursuing should invite a debate on our interference in the affairs of Spain. The right hon. Baronet read the items of the Ordnance Estimates to which he had alluded, from which it appeared that 220,000 muskets, 10,000 swords, 10,000 carbines, 3,000 rifles, 3,000,000 cartridges, 900,000 lbs. of powder, with a number of guns, besides the articles furnished to the Auxiliary Legion, constituting a large supply of military stores sent to the assistance of the Queen of Spain. The value of those stores was 386,777*l.*, of which not a single farthing has been received by the Ordnance Department. Now (continued the right hon. Baronet) admitting that such an expenditure could be justified as consistent with sound policy, that this country should be put to an expense of nearly 400,000*l.* without a satisfactory proof that such an expenditure would be made good to this country—now did not this justify my hon. Friend, if there were nothing more, in bringing forward his motion? The noble Lord, in the course of his speech, referring to an argument used in the course of the debate, has talked of the impartiality of fogs. I confess I never heard a speech that seemed to possess more of the effect of fog than the speech of the noble Lord, for under the veil of its obscurity he has been enabled to withdraw from the chief points of the discussion. The question is whether it was just to interfere in a civil contest—a contest for the succession to the throne of Spain. To enter upon that question, it is necessary to consider the whole policy of the Quadruple Alliance. That treaty, Sir, I admit, having been once ratified, must in all its articles be to the letter fulfilled. It is the bounden obligation of every Government of this country—they are bound in duty and in honour—to fulfil the treaty. No Government would be warranted by any technical objection whatsoever to found thereon a non-acquiescence with the articles of that treaty; but neither should any Government, through political motives, go beyond those articles. No matter what party might hold the reins of Government in this country, they are bound by honour even more stringent than written law to adhere to the treaty. Sir, in accordance with that treaty the late Government did advance arms and ammunition to the Queen of Spain, nor did it seek immediate payment for the stores thus advanced. But the noble Lord opposite has laid down principles of intervention more extensive than ever yet were attempted to be upheld by any party in this country. Sir, if the principle of the noble Lord were once to be generally adopted it would justify the intervention of any Government which might think proper to interfere with the internal relations of any other country, that Government constituting itself the judge of the necessity for such interference. The noble Lord says, that it is the duty and the interest of a free Government to interfere for the advancement of free institutions. Why, Sir, the very same argument might be advanced by despotic Powers desirous of suppressing the nascent principles of freedom, and of crushing States which sought to establish more popular forms of Government. Prussia or Austria, for instance, might allege, "Our interests are opposed to the establishment of democracy, or to the maintenance of popular government, in the neighbourhood of our territories, and on the same principle on which England, possessing a popular government and a free constitution, has interfered in Spain to procure the establishment of a similar political system in that country, do we justify ourselves in promoting a system of despotism, and in crushing the first attempts to establish a just and rational liberty." It was quite beside the question to enter, as the noble Lord had done, into a consideration of the policy of the Quadruple Alliance. With equal facetiousness the noble Lord upbraided my hon. and learned Friend for having allowed so much time to elapse without calling the attention of Parliament to the Order in Council relaxing the Foreign Enlistment Act. My hon. and learned Friend was reproached with having taken six or eight months for deliberation. I must, however, remind the House, that when the noble Lord last appeared upon the stage as the defender of that Order in Council, he appeared not only in the character of a logician, but also in that of a prophet. The present object of my hon. and learned Friend is not to show that the ratiocinations of the noble Lord were illogical, but that his prophecies had not been fulfilled, and it was necessary that there should be some lapse of time to contradict the noble Lord's predictions. The noble Lord's arguments were all answered and refuted at the time. The only advantage which the noble Lord obtained, if indeed he obtained any, was derived from his being in possession of official communications, which could not be in the possession of hon. Gentlemen on his side the House. From the implicit reliance with which the noble Lord appeared to rest on those communications, and from the confident tone in which the noble Lord then spoke, I certainly entertained hopes that the contest in Spain would have been terminated, and that the British Legion would have returned home before this time. The noble Lord complained that great disparagement had been very unjustly cast upon the British Legion, and upon its gallant commander Colonel Evans. I have not heard one word uttered in this House derogating either from the character or the gallantry of Colonel Evans. Neither have I been any party to the aspersions which have been thrown upon the soldiers under his command. Whatever may be the cause in which they are embarked, it is impossible for me not to feel a deep sympathy in the fate of a large body of my fellow-countrymen engaged in a foreign land in the support of a cause which they deem to be in accordance with their principles. With regard to the British Legion, though it is not in our service, though it is commanded by those from whom we on this side of the House dissented widely on political questions, the noble Lord may be assured that he will not hear one word from us in disparagement of our fellow-countrymen who compose it—that he will not hear one expression of doubt as to their maintaining the honour of the British name—that he will not hear one reflection cast upon their gallantry and courage. Suppose that they fail; suppose that sickness and privations have thinned their ranks; suppose that want of discipline has prevented their energies from being perfectly effective; suppose that the rivalry of foreign commanders has impeded the display of their native gallantry,—is that any reflection on them? No; but it is a reflection upon those who have committed them unnecessarily in this struggle, and who have committed along with them the name of the British nation and the honour of the British character. If the Quadruple Treaty requires that a foreign expedition should be sent from this country to Spain, that I admit would be a sufficient justification for the Government in sending it forth; but I contend that, by the Quadruple Treaty, no obligation is imposed upon us to interfere in the contest now waging in Spain by recalling the prohibition contained in the Foreign Enlistment Act. The recall of that prohibition made us substantially a party in that contest. The noble Lord admits that it did. Well, then, the Quadruple Treaty specified what we should contribute to the common cause. If that treaty required from us military intervention, the Government is justified in using such intervention; but the question is, "Did that treaty impose on us the obligation to repeal the prohibition contained in the Foreign Enlistment Act by the exercise of the prerogative of the Crown in favour of one party?" If it did not, I am at liberty to question the policy of that repeal as much as if that treaty had never existed. I freely admit to the noble Lord that we are bound by that treaty, but I am now inquiring whether a particular act, which we have committed, was required from us under it. The noble Lord says it was; but that I am equally prepared to deny; and if my denial be founded on right principles, I have a right to question the policy of Government. I remain, then, up to this moment, after all that I have heard from the noble Lord, totally unconvinced that we are called upon by the Quadruple

Treaty to permit an English army, not under the control of English officers appointed by the Crown, to go to Spain, as an auxiliary force. We have not taken—we cannot take—any security for its success. This suggests another consideration—does the noble Lord consider that the Quadruple Treaty requires from us still more coercive measures against Don Carlos, supposing the present measures to fail, as it appears probable that they will? The permission to enlist is not sufficient. We have already given the Spanish Government permission to enlist 10,000 men in this kingdom; are we to give it permission to enlist 10,000 more? or are we to support the British soldiers now under General Evans by a more marked exhibition of the military vigour of England? You have begun by a grant of arms and ammunition; you have followed that up by permission to enlist in your dominions; are you prepared to go still further? The noble Lord attempts again to carry us along with him, by giving us, as of old, the most flattering hopes of success; but how can we repose credit in them, knowing, as we all do, that we are in a worse position now than we were on the last occasion on which the noble Lord dazzled our eyes with delusive visions of success? "But," says the noble Lord, "if you doubt our policy, you identify yourselves with the policy of Don Carlos."—Sir, I do no such thing. I do with all my soul abominate and abjure the cruelties and excesses in which both parties in this sanguinary contest so wantonly indulge. I am not, I never have been, a partisan of Don Carlos. All I wish is that we were not parties in this contest, and that we were not in our present painful position. "But," says the noble Lord, "have we not interfered elsewhere, and have we not interfered with success? We interfered in Greece, in Belgium, and in Portugal—and has not our interference been productive of good?" To this I reply—the case of Portugal is separate and distinct from all others. We stand to Portugal in a very different relation from that in which we stand to any other country. We are bound to that country by treaties of a very special nature, and our interference in the concerns of Portugal, either with a naval or a military force, rests upon grounds very different from any which exist between us and any other nation. I will ask the House to consider how we interfered in the case of Belgium. The noble Lord said that we had interfered with the domestic concerns of Belgium. How? The inhabitants of Belgium, for reasons best known to themselves, refused to submit to the yoke of the King of Holland. After that refusal broke out into open resistance, a question might have arisen, whether under treaties then in existence, we were not bound to protect the King of Holland in his rights or dominion over Belgium. Right or wrong, we declined to interfere. The right hon. Member for Nottingham (Sir John Hobhouse) will recollect the case of Belgium well. Upon the opening of Parliament, objection was taken to that part of the King's speech which referred to the domestic affairs of Belgium. [Lord *Palmerston:* I did not use the expression domestic affairs.]—No? Why the whole question we are now discussing turns upon the right which one state claims to interfere with the domestic concerns of another. Don't I know that if you have a defensive alliance with another country, and that country is attacked by a third party, you may be called on, and if called on, you must interfere and assist it in that foreign quarrel? But is it a foreign quarrel in which the government of Spain now calls on you to interfere? The objection to our interference in Spain is, that we, professing principles of non-interference, except in a peculiar case of danger arising to ourselves from vicinage, or from the undue preponderance of a third party—the gravamen of the charge against us is, that we have undertaken, when there are two parties struggling for the succession to the Crown of Spain, to interfere in behalf of one of them, and to say that the claims of the inhabitants of the Basque provinces are not founded in justice. There never was a country in less danger from foreign aggression than Spain is at this moment. Portugal is friendly to her; France is friendly to her. If they were not, I would admit that our interference in her domestic concerns might be justified. The gravamen of the charge against us, I repeat, is this—that we, being interested in the establishment of free constitutions, have made ourselves parties in the domestic dissensions of Spain, by endeavouring to establish a free constitution there, in a way not justified by the Quadruple Treaty. For my own part, I doubt the ultimate result of the war which we are now assisting the Queen's Government to carry on. If we succeed in establishing her dynasty by the assistance of a foreign force, I fear that we shall do little good. If the Queen's government cannot repress a mountain insurrection without the aid of a foreign force, I cannot bring myself to believe that a government which rests for support on foreign intervention can be permanently successful. Again, let us look to our interference, or rather to our mode of interference, as it bears on the domestic policy of England. For my own part, I doubt the policy of letting a large force of British soldiers enter into the service of a foreign power in the way in which the British Legion has entered into the service of the Queen of Spain. If it is defeated, it injures the national character, and damps the national spirit. If, in consequence of that defeat, you increase its numbers, and raise it to 20,000 men, and if upon that increase its exertions become triumphant, and it returns to England flushed with feelings of victory, I will not conceal from you the apprehensions of danger which I entertain from your having two different armies in your dominions, both belonging to the same country, but connected with their officers by different ties. The right hon. Baronet after some other observations, which the lateness of the hour prevents us from reporting, concluded by declaring, that entertaining as he did the views which he had just declared respecting our foreign policy, he was compelled to object to the course adopted by the noble Lord. He did not, however, feel himself justified in supporting a vote of crimination against the Government, but he did feel himself justified in demanding his right to be heard, whilst he questioned on a vote of supply the policy of his Majesty's Government.

Sir *John Hobhouse* was sure the House had not expected to find the right hon. Baronet opposite bringing so grave a charge as he had brought against his noble Friend the Secretary for the Foreign Department, and then ending his speech with such an extraordinary attack as that contained in the right hon. Baronet's concluding observations. Not content with terrifying Parliament and the country with the imprudence of the foreign policy pursued by Ministers, and with a laborious endeavour to show the serious dangers into which it was inveigling the nation, the right hon. Baronet had concluded by stating, that if General Evans returned to England at the head of his army flushed with all the feelings of victory and triumph, he would be more dangerous than if he came back smarting under a sense of defeat. ["*No*"] He begged pardon of the right hon. Baronet and his clamorous Friends, but he was not mistaken, for the right hon. Baronet, after detailing to the House the disgrace of defeat in this contest, stated that the victory of General Evans would be still more dangerous, for he would come back, as the right hon. Baronet said, at the head of his mercenary army. ["*No, no.*"] The right hon. Baronet, if he had not used the word "mercenary," had implied it, for he said that General Evans had not levied his army under ordinary circumstances. He had likewise added, that General Evans would come back with his army dangerous —the right hon. Baronet did not say to the liberties of the country, but dangerous in some mode which the right hon. Baronet did not explain, and which therefore appeared sufficiently anomalous. It was to be in some way productive of danger, which would prove very embarrassing to the domestic tranquillity of the country, and which his Majesty's Government ought to be prepared to anticipate and to avert. It was not for him to dispute the valour and the terrors of the great General Evans—

> "Great let me call him,
> For he conquered me,"

And although the right hon. Gentleman had made a most ingenious and edifying discourse upon the subject, he must be permitted to say that there was something about the right hon. Gentleman's genius almost too ponderous for a joke. He must say further, that in the discussion of this question the right hon. Gentleman had not treated his noble Friend, the Secretary for the Foreign Department, quite fairly, neither had he consulted the dignity of the House, nor, if he might be permitted to say it, of himself, by the course which he had thought proper to take. Did the right hon. Gentleman complain that the present Government had done any thing at variance with the treaties which they found in force when they came into office? Certainly, he believed no such charge had been attempted to be made. It would be recollected, that during the short time the right hon. Gentleman and his colleagues were in office, the right hon. Gentleman took an opportunity of stating in that House that he had maintained the existing treaties which he found on coming into office, and that he considered himself bound to maintain them, and to follow the policy of his predecessors; and he would now take the liberty of saying that in pursuance of this principle the provisions of the Quadruple Alliance might have been carried out further whilst they were about it, by the equipment of a naval force in support of the Queen of Spain. This had not been done however; by so doing a more direct act of hostility against Don Carlos would have been committed, and there certainly would not have been any ground for complaining of the anomalous line of conduct now attributed to this country. He presumed that if his Majesty's Government had proposed to adopt such a demonstration of active support, there could have been no opposition to it by Parliament, because, by virtue of the very treaty in question they were called upon and bound to take that step if it were demanded of them. The right hon. Gentleman had made an observation that the Ministers of this country ought not to suffer themselves to be diverted or turned aside from what the great commercial necessities and the interests of freedom demanded, by vague and general notions of foreign policy. Now, if it turned out that the course pursued on the present occasion was conducive to the commercial advantages of this country, he presumed the principle upon which the Ministers had acted would not be called vague; or if the great interests of freedom, whereof this country was of old the great and prescriptive defender, were secured by it, then he presumed no vagueness of principle would be attributed to them. The right hon. Gentleman then talked about intervention, he said that sometimes the present Ministers were for intervention, and called it non-intervention; and sometimes they were for non-intervention and called it intervention. Now, in pursuance of this ingenious argument, the right hon. Gentleman had fallen into one or two mistakes, which he should just wish to remind him of. He should like, in the first place, to refer the right hon. Gentleman to a notice put upon the books a short time before the right hon. Gentleman went out of office, on the subject of the disputes between the King of Holland and his subjects. Who was it put that notice upon the books? Why, he had done it himself. But why had he done so? Because it was declared that the King of Holland's subjects were not justified in the cause they had taken up. And who made that declaration? Who decided between the King of Holland and his former subjects? Why, the right hon. Gentleman himself; and the allusions to the subject in the Speech from the Throne under the Duke of Wellington's Government, at that time, showed the opinion of the King of England and his Ministers to be, that intervention in the affairs of that country was not only justifiable, but indispensable. There was another mistake of the right hon. Gentleman's. He said, "You did not interfere in the case of Belgium; why did you interfere in Spain? Now, he would like to ask what was the charge that had been made against his noble Friend, year after year, in respect to Belgian affairs? Why, certainly not that he had not interfered, but that he did interfere. The truth of the matter was this—whether his noble Friend interfered or did not interfere—whichever way he acted—the right hon. Gentleman and his Friends must complain. If his noble Friend and his colleagues did nothing, they were told they ought to do something; if they did something, they were told that they ought to attempt more. The fact was, that his noble Friend, during the few years he had held the office of Secretary of State for the Foreign Department, had had to contend with difficulties such as no Foreign Secretary had hitherto ever had to contend with; and he must say further, that in his opinion his noble Friend had come forth from his arduous labours, in which certainly he had been supported by all the native energies of his country, and also by the general principles and feelings of his countrymen—he had come forth from those arduous duties with a more complete success than any one who had preceded him in such an office. His noble Friend had succeeded in keeping alive and spreading the great flame of freedom which had marked the character and the intellect of the British people, ever since we had been a nation, through circumstances of unparalleled difficulty—he had compromised nothing of the nation's dignity, and stood clearer in the face of his country and of surrounding nations, than any Foreign

Secretary who had ever sat upon that Bench. Did the noble Lord opposite, who laughed at what he had just said, suppose that he (Sir John Hobhouse) said this from any feeling of private regard for his noble Friend. He spoke upon very different grounds. Circumstances had brought his noble Friend and himself to sit upon the same Bench. He would tell the noble Lord opposite [Lord Mahon, we believe] that nothing which the noble Lord himself could promise him, nothing that he could offer him, no interest or patronage that he could give him, would induce him (Sir J. Hobhouse) to say one word which he did not in his conscience believe to be true; and in the thorough conviction of the truth of what he was uttering, he again repeated his opinion—on all that he had seen of the foreign policy of his noble Friend, that his noble Friend had acquitted himself with greater honour than any of his predecessors in office. The Government had acted fully up to what was their duty in regard to the Quadruple Treaty; they had done no one act in reference to it, to which, if they were to go out of office to-morrow, their successors in office could attach any blame. His noble Friend had not done in office a single act which if out of office to-morrow he would not support and enforce. The policy of his noble Friend was the same now as it was in 1834, and nothing had occurred since of which Parliament had a right to complain. He had nothing to reply to in the speech of the right hon. Gentleman who had preceded him. There was no laying hold of his pleasantness, which, though clever, could not be caught by minds less lively than the mind of the right hon. Baronet. The question now before them was, whether Government had done anything of which Parliament had a right to complain; but, as he said before, the right hon. Gentleman had abstained altogether from making any charge of the kind. In conclusion, he would only observe, that he and the rest of his colleagues would always hold themselves ready to meet, fairly and frankly, any charge that could be brought against them on the subject of their foreign policy, when he had no doubt of their being able to show most satisfactorily that they had in no wise departed from the spirit of existing treaties, nor in the slightest degree compromised the honour and dignity of the country.

Mr. *Thomas Duncombe* wished to have risen at an earlier period of the debate to express his dissent from the noble Lord's, (Mahon) opinion with regard to Spain; he could not admit, that the noble Lord's prophecies had been fulfilled, nor could he agree in the description the noble Lord had given of the contest now carrying on in that country as a contest between two "factions." He denied that the Queen's party was a "faction"; her's was a legitimate Government, which had been recognized by the noble Lord's late leader, the Duke of Wellington. With regard to the convention of Lord Eliot to which reference had been made by the noble Lord, he (Mr. Duncombe) had always been of opinion and still was, that that convention was more favourable to Don Carlos than to the Queen; and as to its being dictated by humanity, the fate of some of our countrymen in Spain showed that to be a mere delusion. Then as to precedents for allowing the enlistment of troops under a foreign banner, he held in his hand an Act, brought in by Mr. Pitt, and passed in 1794, entitled, "an Act to enable French subjects to enlist in the British service on the continent." Hon. Gentlemen opposite, no doubt, would say, these Frenchmen were mercenaries. [*Hear, hear, from Mr. Wynn.*] The right hon. Member for Montgomeryshire seemed to think so; but the Tories of the day supported Mr. Pitt in that Bill, and in that they were perfectly consistent with their present opposition, for that Bill was to encourage the enlistment of foreign troops to crush that very cause of liberty on the continent, for the support of which the present suspension of the Foreign Enlistment Act was defended by Government; they were consistent in their object, if not in their means, their object in both cases was to put down freedom, for that they now declaimed against the very measure which they had assisted Mr. Pitt to carry through Parliament in 1794. There was one subject to which he had intended to call the attention of his Majesty's Government, and which, if the House did not think it too late, he would then briefly advert to. He alluded to the unfortunate state-prisoners at Ham; the political victims of the late French Revolution. He was grieved to find that one or two of those unhappy captives were fast pining away from the effects of their long imprisonment, and the unhealthiness of their situation. Surely, whatever crimes they had been guilty of, six years of imprisonment and affliction had expiated it, and of what crimes had they been guilty which the authorities since established had not equalled or surpassed, even-handed justice required that their imprisonment should be terminated, or if justice did not demand it, enlightened policy recommended it, and every feeling of generosity and humanity spoke loudly in its favour. The hon. Gentleman concluded by reading the letter addressed by Prince Polignac on the 17th of August, 1830, to the French Chamber, in which he entreated permission either to retire for ever into private life, or to expatriate himself with his wife and children to some other land. That wife and the mother of those children was a British subject, and consequently had an additional claim upon British sympathy. These unfortunate prisoners were now in a declining state of health from their protracted imprisonment, and if not released could not long be expected to survive. He trusted, therefore, the House would not think he had deviated too far from the question in entreating of his Majesty's Government to mediate with the French Government for their release; a request which would not only come graciously from them, but would, he was sure, be at once responded to by the generous forgiveness of the French nation.

The Motion of the hon. Member for Oxford, (Mr. Maclean) was acceded to, and the Order of the Day for a Committee of Supply, on which the debate arose, was read, and the Committee deferred.

HOUSE OF COMMONS,

Monday, February 29, 1836.

MINUTES.] Bills. Read a first time:—Public Walks; and Public Institutions.

Petitions presented. By Mr. EMERSON TENNANT, from Belfast; and by Mr. Sergeant JACKSON, from Youghall, against Corporation Reform for Ireland.—By Mr. CALLAGHAN, from Cork; by Mr. SHARMAN CRAWFORD, from Dundalk and several other Places, for Corporation Reform (Ireland).

MUNICIPAL CORPORATIONS (IRELAND).] Mr. Sergeant *O'Loghlen*, when the Bill relative to Municipal Corporations in Ireland was introduced into this House, it was understood that upon the second reading I should avail myself of the opportunity that would be then afforded to me to state to the House the reasons which, in my humble judgment, ought to induce them to pass this Bill, and to state to them the details of the measure I have the honour to propose. The House is aware that a Report from the Commissioners appointed to inquire into Municipal Corporations in Ireland, has been on the Table of the House for some time. I will now briefly state to the House the substance of the Report, so far as it relates to the number of Corporations now existing in Ireland, and to the number of corporators to be found in the boroughs to which they belong. It appears from the Report that there may be said to be now existing in Ireland sixty Corporations. The Report states that sixty Corporations were found to be "in full vigour," that there were eleven which were almost extinct, and a good many which have become extinguished since the Union in 1800. In the towns in which these seventy-one Corporations exist, the Report states there is a population, amounting in the whole to 900,000 persons, and that the total number of corporators does not exceed 13,000. If we look a little more into the Report, we shall find that of these 13,000, 8,000 are to be found in four boroughs; so that we have 5,000 corporators to be distributed among the other fifty-five or fifty-six boroughs; regulating the affairs of a population amounting in number to considerably more than 500,000 people. The Report, in describing the Corporations of Ireland, states that they are almost entirely ruled by self-elected governing bodies, who are the mere nominees of the patrons of the boroughs; that in fifty-seven Corporations which are exclusively ruled by the governing body, there are, of the corporators, I have stated, 12,750; leaving in those which have the slightest share of popular feeling, or popular control, no more than 250. The Report, Sir, after detailing what I have stated with respect to these Corporations, exhibits the general result to be, that the Corporations of Ireland, which were originally intended, as I shall hereafter show, for the benefit of the several cities, towns, and boroughs in which they may be situated, "are in many instances of no service to the community; in others, injurious; in all, insufficient and inadequate to the proper purposes and ends of such institutions." The Report also states—"It has followed that in many towns there is no recognised commonalty; that in others, where existing in name, it is entirely disproportioned to the inhabitants, and consist of a very small portion, of an exclusive character, not comprising the mercantile interests, nor representing the wealth, intelligence, or respectability of the town; the Corporations are not without reason looked on by the great body of the inhabitants of the corporate districts with suspicion and distrust, as having interests distinct from, and adverse to, those of the general community; whom they thus studiously exclude from a participation in the municipal government; their members frequently consist entirely of the relatives and adherents of particular individuals or families, and the principles of their association and those which regulate admission or exclusion have rarely any connection with the common benefit of the district, or the wishes of the inhabitants; in far the greater number of the close Corporations, the persons composing them are the mere nominees of the patron or proprietor of the borough, while in those apparently more enlarged, they are admitted and associated in support of some particular political interest, most frequently at variance with the majority of the resident inhabitancy; in the town of Belfast the whole Municipal Corporation consists of the Sovereign, the Lord of the Castle, the constable, his appointee, twelve self-elected burgesses, and six freemen. The laws which for a series of years operated to exclude those professing the Roman Catholic religion from Corporations were repealed in 1793, but the Roman Catholics have hitherto derived little practical advantage from the change; in the close boroughs they are almost universally excluded from all corporate privileges; in the more considerable towns they have been rarely admitted even as freemen, and, with few exceptions, they are altogether excluded from the governing bodies; in some, and among them is the most important Corporation in Ireland, that of Dublin, their admission is still resisted on avowed principles of sectarian distinction. Since the changes have taken place which have enabled Roman Catholics to share in the general diffusion of wealth, and in the benefits of unrestricted industry, they have risen and multiplied in the middle and upper classes, so that in most of the cities and towns they constitute not only a majority of the whole population, but a large proportion of the more opulent orders. The operation of the defects we have pointed out extends beyond what may be deemed corporate limits. The Corporations have long become unpopular and objects of suspicion: as at present constituted they are in many instances of no service to the community, in others injurious, in all insufficient and inadequate to the proper purposes and ends of such institutions; the public distrust in them attaches on their officers and nominees, and the result is a failure of that respect for and confidence in the ministers of justice and police which ought to subsist in well regulated communities, and which, when they do exist, conduce so much to the peace and good order of society, and without which the authority of the law may be dreaded, but cannot be respected or effective." This, Sir, is the account given in the Report on the Corporations of Ireland; and that they do not represent the feelings—that they do not represent (I mean not to speak it offensively) the respectability, the wealth, the intelligence, or the commercial interests of the boroughs in which they are situated, no person who has read the several Reports of the Commissioners can hesitate to believe. Nor, when I say that they are exclusive, do I mean that they exclude merely those who profess the Roman Catholic religion; but that they exclude every person of what religion soever, who is an advocate for, or supposed to be favourable to, liberal opinions: still less must the House imagine that the 1,300 corporators, supposing them to be so many, in any expression of their opinion represent the feelings of the Protestants. Since 1793 Roman Catholics have been admissible to the Corporations of Ireland, and since 1793 I do not believe that 200 Roman Catholics have been admitted. In the city of Dublin, says the Report—"Since the year 1793 the freedom of the Corporation and guilds has been *by law* open to Roman Catholics, yet there is not known to have been, to the present time, a single individual of that persuasion admitted to the Common Council; the exclusion is not confined to the Roman Catholics; the being known or suspected to be friendly to their claims previously to the Emancipation Act was equally effective to disqualify the applicant, though a Protestant, and the advocacy of what are called liberal or popular politics, has formed, and still forms, a strong ground of objection; in short, the proceedings of the Corporation as to the admission of freemen have been, and avowedly are, conducted on the most extreme principles of exclusion, religious and political; the freedom is consequently limited to a class which, though considerable in numbers and property, exclude a large portion of the trading and industrious members of the community." The Report also finds that the municipal bodies, not alone in the places to which I have referred, but in every part of the Kingdom in which they are to be found, are unsuited to the wants, and unfavourable to the principles of the inhabitants, and that they exist merely for the purpose of those who have acquired dominion in them, and who have abused them to the very worst of purposes. Having stated the general character given by the Commissioners of the Corporations of Ireland, I shall now proceed, with the permission of the House, to the particular details of some of these bodies. I shall first state to the House how some of these Corporations have managed the property intrusted to them for the public benefit, and shall begin with the city of Dublin. The Corporation of the city of Dublin—(I am about to refer to one of many instances of the same description, so strong that I do not think I should be justified in passing it over)—the Corporation got an Act of Parliament passed, in the year 1776, enabling them to charge the occupiers of houses in Dublin a certain rate for the supply of water. This was called the pipe-water rate. The Act does not notice any debt due to the Corporation for expenditures of the water-works. Immediately after the passing of the Act, the corporators voted (it was their first act) 1,500*l.* per annum to their treasurer out of the rates, in part compensation of several sums expended by them on the works, though the Act noticed no such claim. They retained out of the rates, and money borrowed on the security of the rates, on account of this 1,500*l.* per annum, previous to 1809, 47,591*l.* In 1809 they got an Act passed for substituting metal for wooden pipes, and this Act recited that there was a debt of 67,200*l.* secured by the pipe-water rates, and that 32,800*l.* would be necessary for the new works; and it granted new rates, called metal main rates, until those two sums, making 100,000*l.*, should be paid, and no longer. It provided four funds for extinguishing this debt of 100,000*l.*—the Corporation was to apply them; instead of doing so, the first thing done was to raise the 1,500*l.* per annum, which had been voted to their treasurer, to 2,500*l.* per annum; they also increased the appointments of several other officers out of these funds. The Act was framed so as to continue the rate until the 100,000*l.* was repaid; and by misapplying the funds they, in effect, continued the tax. In 1823 some of the citizens filed an information in Chancery against the Corporation for an account of the rates received; the Corporation answered in 1824, and insisted that the rates belonged to them as their private property, unfettered by any trust from the public. Lord Manners dismissed the suit with costs, saying he had no jurisdiction. The House of Lords reversed his decree, and directed the accounts to be taken: the accounts were taken before the Master in July, 1831; the Master of the Rolls pronounced his decree on the Master's report, declaring that the tax ought to be closed in 1825, and directing that the Corporation should pay off 74,000*l.* which remained due to the holders of securities issued on the rates, and the Corporation were directed to pay the costs of the suit. The Corporation appealed to the House of Lords, and in the mean time endeavoured to avoid the operation of the decree by issuing new securities charged newly on the pipe-water rates. An injunction against this proceeding was awarded, and in June, 1835, the House of Lords affirmed the decree with costs. The Corporation in May, 1827, ceased to collect the metal main tax, and the result is, that in a period of eighteen years they misapplied 74,000*l.*, being more than 4,000*l.* in each year out of this tax alone. On looking at the accounts of this Corporation for the years ending the 29th September, 1833 and 1834, I find the following items:—

Casual and law expenses	£3,175	13	4
	1,314	10	4
	4,613	13	9
	488	15	3
Total —	9,592	12	8

most probably incurred in the suit to sustain their unjust claim to the rates. Here is one instance of the abuses under the present corporate system in Ireland, from which the House will observe, that the great abuse is not the misapplication of private but of public funds, intrusted to them for public purposes, and the course they have adopted with respect to these funds affords as instructive an example as perhaps can be found, of the danger and mischief of committing the business of local taxation, the control of large funds, and the administration of public trusts, to a small and self-elected body acting without public scrutiny, and controlled by no superior authority. I shall now come to another case, the detail of which any hon. Member may find in the Report of the Commissioners of the Corporation of Derry. In 1790 the Corporation of Derry, consisting of a mayor, twelve aldermen, twenty-four burgesses, and two sheriffs, obtained an Act of Parliament, authorising them to build a bridge over the river Foyle; and they also obtained the privilege of collecting tolls and tonnage, from the amount of which the expense was to be paid. Well, they borrowed 16,500*l.*, and, although from that period up to 1813 they collected, under the authority, of the Act no less than 34,200*l.*, yet not one shilling of the amount borrowed was repaid. In 1813 the bridge was carried away, and the Corporation applied to Parliament for a new Act, and, in order to rebuild the bridge, obtained from the consolidated fund 15,000*l.*, to be repaid by instalments in twenty years. They rebuilt the bridge, expending on it 17,000*l.* (exclusive of the 15,000*l.*) From the year 1813 to 1831 they received from the tolls, &c., 74,000*l.*, and yet not one single shilling of the debt has been paid, nor has the balance 57,000*l.*, been accounted for. They, at the same time, received from other sources—the tonnage dues for instance—very large sums indeed. I shall just state to the House the general conclusion upon this subject to which the Commissioners arrived. It appears that the total of sums, not including amounts from time to time borrowed and paid, which passed through the hands of the Corporation between 1790, when they first became invested with Parliamentary trusts, till 1831, when the greater part of their private property was sold under executions, was as follows:—

Disposable revenue	£183,614	15	4
Money borrowed and unpaid	86,724	19	6
Total	£270,339	14	10
Sums borrowed and laid out in building and repairing the bridge	£31,594	0	0
Sums expended for other public purposes	35,182	0	0
Total	£66,776	0	0
Total amount received	£270,339	14	10
Expended	66,776	0	0
Not accounted for	£203,563	14	10

The Report gives some detail of the manner in which these different sums were expended. The annual charges, it appears, were salaries, annuities, pensions, and charities. Salaries were paid to a variety of persons, corporate officers. They had a solicitor at a regular salary; though, I believe, it is stated in the Report that one bill of costs of this salaried officer amounted to 4,000*l.* Large sums were expended in entertainments; and, as a necessary consequence, a salaried apothecary was required to attend the Corporation. So late as 1830 they had a cook at a salary of 100*l.* a-year. In the year 1813, it appears, the salaries were 1,135*l.* 5*s.* 8*d.* per annum. To their Recorder (Sir G. Hill) they could afford to vote a piece of plate which cost 1,160*l.*, and at the time this was voted the Corporation was heavily indebted. At the period his late Majesty George 4th visited Ireland, the Corporation of Derry sent a deputation to congratulate him (a distance of 110 miles), and I find the expense charged 546*l.* 14*s.* 5*d.* In salaries, in about twenty years, they paid 20,000*l.*, besides other considerable sums. The following, I find, is the language of the Report in reference to this Corporation:—"Their pensions, charities, and gratuities were upon a scale of munificence wholly unjustifiable in the trustees of public money. They gave, too, some presents to their own members; and in periods not recent, but not very remote, some dispositions were made of corporate property, advantageous to individuals belonging to the Corporation, and detrimental to its corporate interests. Again, self-elective, it created its own members, without public scrutiny of their qualification for office, or any security against the worst appointments; conferring office for life, it provided no means of substituting for the absent, the incompetent, or the slothful, successors residing within the sphere of their duties, and able and inclined to discharge them; conducting their proceedings in secret, and never accounting for them to any superior authority, or to a constituent body, its members could not be either stimulated or checked by any of those motives leading to caution, to vigilance, to activity, and to fidelity in the performance of public trusts, which arise from apprehension of responsibility, or from fear of the shame and censure that follow the publicity of gross error, of detected misconduct, or even of well-intentioned folly. The Corporation, forty years ago, had an ample income, and was almost out of debt. Funds were intrusted to them, enlarging the income under their control to 7,000*l.* per annum. During that period they have contracted debts which they are unable to pay, and are now destitute of the means to defray the ordinary charges of their magistracy, or the salaries of their public officers. Invested by Acts of Parliament with public trusts for specific purposes, they have treated their funds as part of their corporate income; they have failed to apply them according to the express enactments of the Legislature, and have devoted them to purposes not warranted by the Acts creating the funds and declaring the trusts." In fact, Sir, it appears that in every case in which it was possible to be expensive, the Corporation of Derry was expensive. I now come, Sir, to another Corporation, in comparison with which the expenditure of that of Derry does not, certainly, appear to be so culpable. It is but justice to the Corporation of Derry to say, that their expenditure of the property was not so much governed by considerations of personal profit as in Drogheda. I shall read to the House an extract from the Report of the Commissioners, exhibiting the mode in which this Corporation managed the public money intrusted to them for public purposes, with a view to advance the private interests of those connected with their own body. I beg the attention of the House to the following passage of the Report:—

"Very great dissatisfaction is felt at the mode in which the Corporation have conducted the lettings of their property, the consequent depreciation of the rentals of their estates, and the appropriation among themselves of a large income (between 10,000*l.* and 12,000*l.* a year) which is considered to be applicable to the municipal wants of the district. The members of the Corporation themselves admit that the property, if now let in the usual manner between the landlord and tenant, would produce over 12,000*l.* per annum. In the interval between our two visits to the town, some respectable inhabitants who felt an interest in our inquiry, had taken the trouble of making an estimate of the present value of the property of the Corporation. From an inspection of the different premises, and from the particulars comprised in the rental of the Corporation, the result is stated as follows:—

2,110 acres of land, estimated at annual value of 73*s.* Irish per acre. This estimate being taken from an average of the rents of the commons lands from 1779 to 1824, and of the Mannimon lands in 1771, the letting of which were public; 819 houses, warehouses, and cabins .	£7,109	1	6½
Estimated at an annual value of	7,628	0	0
	£14,737	1	6½
Total present annual value .	3,265	6	2½
Difference . .	£11,471	15	4

An estimate has also been made of the value of the interests derived under the Corporation by particular families, who have considerable influence in the assembly, and usually occupy the principal offices in the Corporation. The following table comprises a list of those families, with a description of the property held by them; fines paid on renewal of leases; rents now payable to the Corporation, and present value of the premises:—

	Houses.				Fines.			Rents.			Present Value.		
		A.	R.	P.	£.	*s.*	*d.*	£.	*s.*	*d.*	£.	*s.*	*d.*
Smith's	131	474	0	29	7390	9	11	518	17	11	3279	5	9
Tandy's	25	31	2	6½	353	1	1	57	4	0	263	15	8
Chesshire's	21	41	1	32½	359	18	8	74	17	2½	375	12	6
Leland's	106	63	0	4	2502	17	5	225	10	6½	1367	5	0
Holmes's	22	208	3	30	1790	0	3	195	0	6	1156	10	6
Sandiford's	96	25	2	7	49	11	0	51	4	9	414	18	0
Balfour's	..	331	1	20	1318	9	0	65	11	6	903	14	6
Gilbon's	23	17	1	35	357	11	2	57	10	7	338	0	0
Donagh's........	3	46	1	27	549	5	7	15	14	6	225	9	6
Fautlough's	54	188	2	0	2844	10	1	477	5	11	1469	5	0
Fowe's..........	18	18	3	12	154	7	8	37	3	9	218	2	0
Hardman's	20	79	0	3	1009	5	2	89	1	3	530	8	0
Rodger's	56	29	3	24	1757	7	5	192	8	6	546	11	6
13 Families....	575	1556	0	30	20877	14	5	2057	10	11	11088	17	1

Under such circumstances, we cannot feel surprised at the jealousy towards the Corporation which we found existing in the minds of the great majority of the inhabitants. This feeling had been previously displayed in the opposition to the collection of tolls, and led to those unseemly conflicts betwetween the inhabitants and the Magistrates to which we have already adverted. It further led to open charges of partiality in decision, and to a total distrust in their administration of justice upon subjects connected with the Corporation, and even extended itself, unfortunately, in many instances, to subjects in which corporate interests were not involved." In addition to this most unjust letting of the public property this Corporation also had the management of a very large income of tolls—not less than from 14,000*l.* to 15,000*l.* per annum. From the year 1800 to 1831 I find they received from one source of revenue alone the sum of 33,406*l.* for public purposes, out of which they expended only 8,000*l.*, leaving a balance of about 25,000*l.* to be accounted for. From this account of the misapplication of the public money in the Corporation of Drogheda, I shall pass to the Corporation of Carrickfergus. In the year 1814, a nobleman (Lord Blaney) held 193 acres of land, called Cooper's Land, as tenant to the Corporation under a lease made in 1722, at a rate of 7*l.* 10*s.*, which appears to have been a new lease of the same premises demised for *ninety-nine* years, in 1616, to another party. Sir William Kirk was at that time deputy-mayor and mayor elect for the ensuing year. He was the agent of Lord Blaney, and through him Lord Blaney presented a memorial to the assembly, praying for a renewal of his lease, whereof nine years were then unexpired. It happened that the assembly was then divided in two parties—two political parties—the one attached to Lord Donegal, under the management of Lord Massarene and Sir W. Kirk; the other attached to Mr. E. D. Wilson. Each of these parties contended for the representation of the borough. Lord Blaney's property in the county of the town gave him a considerable influence; and it is alleged, that in the spirit of the contest there subsisting, each party was apprehensive of giving him offence by opposing the grant for which he memorialised. Lord Blaney was himself a member of the assembly. He had been an Alderman from 1792; but it does not appear that he had even attended the meetings at which he afterwards got the lease. He came to Carrickfergus, and was introduced to the members of the assembly, when a resolution was passed:—"Resolved, that a lease be made to Lord Blaney of the lands containing eighteen acres or thereabouts be the same more or less, for the term of ninety-nine years, commencing from the 1st. of November next, at the yearly rent of 30*l.* and the surrender of his present lease." On the 28th October a deed was executed of this resolution by the Corporation. This rent of 30*l.* was a most gross undervaluation. In 1820 a resolution was passed, to the effect, "that the law agent do lay all the circumstances of the granting of the lease before counsel, to advise whether the same is a valid and effective lease. On the 9th of April 1822, the present Chief Baron of the Exchequer gave his opinion on the case as follows:—"I am of opinion that this lease cannot stand; the proper course to get rid of it is by bill in equity." However, no bill has been since filed; nor has any rent been paid. Sir Arthur Chichester, one of the Aldermen who was examined by the Commissioners, speaking of this lease, says, "I found the assembly nearly unanimous." Sir William Kirk was one, but chiefly Lord C. Massarene, who took a lead in the affairs of the Corporation. The argument he chiefly addressed, was, that the original grant to Lord Blaney was, what was called an "Alderman's share;" but others, namely, Lord Downshire, Mr. Ellis, &c., had their shares, (being also Aldermen) made in perpetuity, it was therefore reasonable that Lord Blaney should be put on the same footing with them, but the chief reason that was urged, was a rather curious one—"the unanimity that existed upon this subject between the political parties so long divided." If we look to other Corporations we shall find a similar abuse of the objects for which they were instituted. Take Portarlington for instance, in which 800*l.* a year was granted to the patron in two separate conveyances. One (made in 1784 for 700 years) conveys from 500*l.* to 600*l.* per annum, and another in 1802, conveys 200*l.* per annum. A Bill was subsequently filed by a freeman to impeach this lease. The solicitor who filed this bill, said he was induced to stay further proceedings, by a grant to himself of ten acres of the land in controversy for three lives and sixty-one years, at a rent of one penny per annum during the lives, and a fair rent afterwards. Yes, when he was asked how the suit was getting on, his reply literally was, "Oh! very well, until I got a grant of ten acres." It may be as well to observe, that the value of the land was about 3*l.* per acre. I shall now come to a case, with which this House is already, perhaps, familiar, that of the Corporation of Naas. I shall state to the House the instance of abuse in that Corporation to which I refer:—"On the morning of the 29th of September, 1832, Lord Mayo's law-agent, at his Lordship's house, by the direction of the Dean of Ossory, entered in the Corporation-book the following resolutions: Borough of Naas and county of Kildare, to wit. At an assembly held on the 29th of September, 1832, before Robert Bourke, Esq., sovereign, and the hon. and rev. George Rouste, and John Connor, Esq., portreeves, among other resolutions, it was resolved, that a fee-farm grant for one of the several lands and premises comprised in letters patent of King James I., bearing date the 2nd May, 1609 (excepting, however, and reserving the right to certain lands and premises mentioned and comprised in a certain fee-farm grant from this Corporation to the right hon. John Lord Viscount Mayo, the ancestor of the Earl of Mayo), be executed and perfected by this Corporation unto the said Earl of Mayo, his heirs and assigns, subject to the yearly rent of 12*l.* sterling."——"Resolved, that a fee-farm grant for one of the markets, and several fairs of Naas, including the Tippar fair, with the tolls, customs, &c., be executed and perfected by this Corporation until ——, to the right hon. John Earl of Mayo, at the yearly rent of 9*l.* 15*s.* 6*d.* sterling." These resolutions were passed without opposition. To this the Commissioners added, no fine was to have been paid for this fee-farm grant, which, according to the rental produced by the Corporation, and the evidence of the hon. Robert Bourke, was to convey for ever to Lord Mayo, a property producing 320*l.* a year, exclusive of Mr. ——'s rent and the rent of the barracks, and, according to the statement of the inhabitants, upwards of 500*l.* a year for a rent of 12*l.* per annum." I know it may be said, that this was granted in trust. [Mr. Shaw; *hear.*] The right hon. Gentleman cries "hear, hear!" But if it was granted in trust, it is the first time in my professional experience that I have heard of a trustee being bound to a rent. If it be a trust, it has been made in a most unintelligible manner. But it is an absolute conveyance, though I should not regret that it were a trust, as it might not be too late to recover. I confess, however, I should be glad to have something more than the mere verbal assurance that it is a trust, and never conveyed. Without trespassing at length upon the attention of the House, I shall merely refer to a few more cases; and first, they will allow me to refer to the case of Cashel. I find the following account of property under the management of the Corporation:—"No. 1. Representatives of Richard —— Pennefether, 1,548a. 3r. 5p., rent 87*l.* 7*s.* 9*d.*; lease for 99 years, from 25th March, 1830. No. 3. Edward Pennefether, 50a. at a rent of 11*l.* 1*s.* 6½*d.* for a term of ninety-nine years from 25th March, 1830. No. 11. Mat. Pennefether, Esq. 141a., rent 13*l.* 16*s.* 11*d.*, ninety-nine years from 25th Sept. 1788. In No. 1. the lease is dated 13th Sept. 1830, and is for ninety-nine years from 25th March, and was made to the then patron of the Corporation, under the following circumstances:—The lands were formerly held by a Mr. Bolton, under a lease granted in 1732 to R. Buckworth, for ninety-nine years, at 87*l.* 6*s.* 6*d.* This did not include Harrison's lot which was held at the old rent of 6*l.* 5*s.* fixed in 1709. Those two rents made together 93*l.* 11*s.* 6*d.* Harrison's lot contained fifty acres. Mr. Bolton was assignee to Buckworth, and also held Harrison's lot, and in 1826 applied for a renewal; his agent offered at first 10,000*l.* afterwards 13,000*l.*; the patron seemed inclined to renew, and the money was lodged in the Bank in Dublin. A notary then consulted, valued the renewal at between 15,000*l.* and 17,000*l.* The patron, after some time, said he would not renew, but assigned no reason for not doing so. In December, 1829, he purchased Bolton's interest at 2,500*l.*; the rental was then more than 1,550*l.* and the rents which Bolton would receive during the remainder of his term amounted to 3,500*l.*; so that the patron, by this bargain, gained 1,000*l.* In June, 1830, (six months after) an order was made at the Board of Aldermen, granting a lease of those lands to the patron, at the yearly rent of 93*l.* 11*s.* 9*d.* Irish; no fine or other consideration was paid, though the lease made, in 1732, to Buckworth, was made, in consideration of a fine of 200*l.* The Board of Aldermen who made the order for the lease in 1830, consisted of the grantee, two of his sons (one of whom was the mayor) seven other of his relatives, and another alderman, connected with him in marriage. During the negotiation for the renewal, the patron never mentioned the matter to the other members of the Corporation, but acted as if he had full powers to conclude the bargain himself. Several other leases seem to have been recently made by the Corporation at under value. No. 3 in the rental, fifty acres, at a rent of 11*l.* 1*s.* 6*d.* in 1802. The lessee was connected with the mayor and several of the aldermen. The lands demised, are half-a-mile from Cashel, and were said to have been worth, at the time of the lease, about 2*l.* an acre, at least. No. 11, another, Mr. Pennefether: the lessee was one of the persons who composed the Board of Aldermen on the day when the order for it was made. He is treasurer of the Corporation, and eldest son of the patron. The lands are worth from 16*s.* to 18*s.* per acre.

141 acres . . .	£141	
Deduct	28	
	£113	rent £13
Profit at least .	£100	

Now, what does the House think is the condition of the town in which the lavish expenditure of the public money has taken place? Is it, does the House think, able to afford this extravagance? It appears that a sufficient supply of water would be a great relief to all classes in Cashel, but particularly to the poor, who, in summer, are frequently exposed to extreme inconvenience from the want of water. It was stated, as the opinion of an eminent engineer, that a sufficient supply of water for the accommodation of the inhabitants could be procured for £500, and that a supply of water, for manufacturing purposes, could be brought to Cashel for 2,000*l.* or 3,000*l.*, which, if done, would probably be the means of promoting the wealth, industry, and comforts of the inhabitants. The state of the town is by no means thriving or prosperous, and there is a great number of poor persons in it in a state of distress. A witness, who is a medical man, was in the summer of 1832 secretary to the Board of Health, and it became his duty to visit the habitations of the poor. He stated, that on that occasion, he ascertained that there were 500 families in Cashel without a blanket to cover them.—Dr. Fitzgerald, in his evidence before the Poor-law Commissioners, says, "the small farmers are singularly charitable, and their benevolence is severely taxed. Crowds of women and children, and sometimes men, also leave the town daily, on a begging tour; they go to each house they meet, and are never refused a couple of raw potatoes, and in this manner each of them returns with two or three stone of potatoes. The city of Cashel is greatly impoverished, and is yearly becoming worse; the few gentry who formerly resided there have dropped off, and the population in that respect now consists of a few families who are permanently located, and the shopkeepers, who, with few exceptions, are struggling against bankruptcy. All the rest are either tradesmen or labourers, and the actual paupers, who are the most numerous class." Dr. Fitzgerald, in answer to a question, whether any died from destitution? said:—"I know of none, the privations may, in some instances, be said to be daily death." Such is the condition of the town, upon the funds of which this maladministration has been committed. In Limerick the same thing occurred; but without going through much more details, I think I have stated sufficient to show that wherever corporate bodies were intrusted with public property as trustees, as in the cases of Dublin and Drogheda, they have always promoted their private interest at the public expense. But there is another view which affects the public interest more than the misapplication of funds. The House is aware that in Ireland Grand Juries have very extensive power of taxing in cities and towns, and also great power in the appointment of officers under themselves. In addition to imposing taxes, they audit the accounts, receive contracts, and transact all fiscal business. In the city of Dublin, from the exclusive nature of the Corporation, a system has prevailed for many years, and does still prevail, of returning on what are called presenting Juries, at Easter and Michaelmas, none but members of the Corporation. From 1829 to Easter (the term included) of 1830, 336 persons served on the Grand Jury of the city of Dublin. Of these only seven were Roman Catholics, and only thirty-five who were not members of the

Corporation. In every single presenting term members of the Corporation were also in a majority on the Grand Jury; and, in the case, where there were thirty-five not corporators on the Grand Jury, it was in a term when there was no fiscal business to be transacted. So far for the Corporation of Dublin. I shall now beg the attention of the House to what is stated in the Report respecting the Corporation of Cork:—

"Cork city, population amounting to 100,716; freemen 2,665, of whom only seventy-three are Catholics. A large majority of the population, and much of the wealth and respectability of the commercial interests, are Catholic. Present revenue of the Corporation 6,237*l.* per annum; Grand Jury cess 29,000*l.* per annum. The Grand Jury has the appointment to several lucrative situations connected with gaol, bridewell, and court-house; they find all bills of indictment. It is, therefore, a subject of the deepest interest to the citizens, that this body should be fairly chosen from the intelligence, wealth, and respectability of the city, without distinction of religion or politics. This, however, does not appear to have been sufficiently attended to; for we found, that of the Juries empanelled since 1820, members of the Friendly Club constituted always a considerable majority; that one-half, at least, of each Jury were corporate, and that the names of several persons who had become bankrupts and insolvents, appear on the lists, while there has been, in several instances within that period, only one Roman Catholic empanelled. Some increase has been made in the number of Roman Catholics placed on the panels within the last four years, the number on each Jury, within that period, varying from four to five. From the state of things above detailed, it is quite manifest that the Corporation of Cork in no way represents the inhabitants of the city, and their interests are by no means identified with that of the Corporation. Out of so great a population, little more than 1,000 are permitted to participate in its privileges, and those who are, have been selected with the express view of preserving the body as exclusive in politics and religious opinions as it is at present. A small select body have got possession of the now insignificant remains of a large property originally granted for the benefit of the citizens at large, much the greater portion of it having long since been appropriated by the Corporation to the use of individual members, or disposed of to meet present exigences, without regard to the interests of their successors. Nor is the mode in which the income is disposed of by the Corporation calculated to reconcile the people to the payment of it; nearly a third of the entire goes to support the establishment of the Mayor, whom they see from year to year enjoying the large emoluments of his office, without conferring any essential benefits on the citizens at large. But, independently of their own proper revenues, the Corporation of Cork have, indirectly, through the medium of the different Boards and the Grand Jury, the disposal of a large sum of money, amounting to near 54,000*l.* per annum, and enjoy, connected therewith, very considerable patronage, of which they have made a complete monopoly, another plentiful source of jealousy and discontent. The paramount cause, however, of the unpopularity of the Corporation with the great mass of the citizens of Cork, is the exclusion of Roman Catholics as well from the Corporation itself as from the Boards under its control and influence; and it should not be thought extraordinary that such a feeling exists, when it is considered that they form a vast majority of the population, and possess amongst them much of the respectability, wealth, and intelligence of the city."

In Limerick, the same system of exclusiveness in the appointment of term Grand Juries (presenting) has been observed. The Report of the Commissioners exhibits in a most striking light the ill effects of this system. The annual amount presented is 6,000*l.* The next subject to which I have to direct the attention of the House is the power which the Corporation of the city of Dublin, as well as other Corporations, have, of nominating the Sheriffs. In several of the Corporations—in Dublin, Cork, Limerick, Galway, &c., and more particularly in Dublin—the Sheriff has very extensive powers. The population of Dublin exceeds 250,000, and the great majority of them are Roman Catholics, none of whom are connected with the Corporation. At the same time the great portion of the Protestant population of this city are unconnected with the Corporation, and the Sheriff is always elected out of the Corporation body. The Sheriff is elected about Midsummer, and every candidate for the office before he can go to the ballot with the least chance of success—for the ballot is resorted to in these elections in Dublin—he is obliged to declare what his political principles are on certain points, and he has also to pledge himself to give certain party toasts at his dinner and on other occasions. If the candidate for the office declines doing this, he has not the slightest chance of being elected. I will ask whether anything can be more injurious as regards the administration of justice than such proceedings. I do not mean to impugn the conduct of any particular Sheriff, but I feel bound to observe that it must cast a stain on the administration of justice to find the officer whose duty it is to summon Juries, and to perform other important duties, pledged to certain party transactions. There are several statements in the Report of the Commissioners which would show the extent to which party feeling was carried as regarded the Sheriffs. The result of the present system is, that the actual business of the Sheriff's office is not performed by the High-sheriffs, nor always by the Sub-sheriff, but the duties in Dublin are delegated, save some occasional interference with the returns of the panels of Jurors. The office of Sub-sheriff is of late generally farmed, sometimes to the Sub-sheriff, sometimes to the clerk, who proposes to the High-sheriff a nominal Sub-sheriff, and, as it has happened, one not previously known to the High-sheriffs. The terms of arrangement vary; sometimes a division of the profits into three parts takes place, one-third to each High-sheriff, and one-third to the Sub-sheriff. A sum certain is secured to the High-sheriffs. It is said the terms are generally fixed by a deed perused by the Recorder. For the year ending Michaelmas, 1833, the arrangement was made by the High-sheriffs with two gentlemen, one of whom was clerk in the office, and nominal returning officer; it was to this effect—the High-sheriffs to receive 1,500*l.* each, the two clerks any surplus not exceeding 800*l.*; there was no surplus, not even the 3,000*l.*, though the auctioneer paid 400*l.* for his appointment. One result of this management is, that the important duties of this high office—amongst others, the execution and return of panels devolve upon, and are actually and almost exclusively conducted and executed by, mere clerks, irresponsible and unknown to the law; for it is expressly admitted, and on this entire matter our Report is mainly, if not altogether, founded on the evidence of the High-sheriffs themselves and of their clerks, that the High-sheriffs conceive that they cannot, with safety to their bargains, interfere at all in the performance or exercise of their duties or authorities, and also that the Sub-sheriff is a mere nominal officer, without experience, who attends only when his presence is necessary in point of form. The auctioneer also pays for his office, and has been permitted to charge, or rather sustained and countenanced in charging five per cent. on the amount of sales, also the legal fees defined by the statute. Every debtor, therefore, was by this, or by some other arrangement of the same kind, obliged to pay five per cent. more than the law allowed. I will now allude to what the Commissioners say with respect to the composition of the Grand Jury panel of the city of Dublin. The Commissioners say that there are 700 names on the Grand Jury panel of the city of Dublin. Practically the powers and patronage of this body have been long vested in the members of the Corporation, as it is considered only respectful to the Corporation to place the names of all persons connected with it at the head of the names. The consequence is, that 150 persons connected with the Corporation are the first called upon to serve on all occasions. In almost every case, therefore, the grand jury must be made up of persons connected with the Corporation. It is remarkable, also, that there are only seventy names of Roman Catholics on the Grand Jury panel of the city of Dublin. I have alluded to the names that were always placed at the head of the list, but I should observe that the names of the persons who own ten times the amount of property of any in the list are not inserted in the early part of the list. The Commissioners also add that there are many persons of the greatest respectability who are never called upon to serve as Grand Jurors, while others who have been bankrupts and insolvents are often appointed. On this point there is some curious evidence as respects the city of Limerick, which was furnished to the Commissioners, and by which it appears that it was a common thing to make presents on a Grand Jury presentment. With respect to the conduct of the Grand Jury in this city, there is a singular case which has come within my knowledge, and which I will state to the House. It appears that the Corporation of Limerick claim the sole right of fishing in the river Shannon. This, however was disputed by the fishermen, who determined to assert what they considered to be their right. Some policemen in the service of the Corporation of Limerick fired on these fishermen while pursuing their calling, and wounded one of them in the breast by a shot. The fishermen landed and took the arms away from the policemen, and then went before a county Magistrate and stated that they had been fired on by the policemen of the Corporation. The Magistrate who gives an account of the transaction proceeds to say—"I saw the wounded man, and the other men, and they asked my advice. I advised them to give up their arms to the general of the district, and swear informations before a city Magistrate for the assault. Informations were sworn before a corporate Magistrate; but great delay and difficulty occurred before a warrant could be obtained. Cross-informations were sworn against the fishermen for taking to arms, which had been delivered up to the general, pursuant to the Magistrates' advice. The bills of the policemen, who were servants of the Corporation, were ignored by a corporate Grand Jury, though supported by the evidence of the wounded persons, and bills for a capital offence found against the fishermen. The fishermen were very poor. A subscription was entered into to procure them the aid of counsel. They were defended by Mr. Sergeant Jackson, and acquitted without hesitation under the direction of the court." I quote this statement from the Report of the Commissioners appointed to inquire into the fees, &c., taken in courts of justice in Ireland; and I think that it sufficiently shows the evil of placing the appointment of Grand Jurors in the hands of persons with irresponsible power. Having traced the effect of these proceedings in the administration of justice in Ireland, I think that no person whose political opinions are not strongly biassed will get up in this House and say that this is a system which should be continued. The question then comes how this system is to be put an end to, and what system the House will adopt in considering this question. I now come to the Acts which have passed, first, for the Reform of the Municipal Corporations in Scotland, and next for the Reform of the Corporations of England and Wales; and I claim from the House that it should place the Corporations of Ireland under the same system of Municipal regulation that you have so successfully adopted in the parts of the empire I have just referred to; the House is aware that, at present, in Ireland, we have no rates for the qualification of burgesses similar to those adopted in this country: it therefore becomes necessary to consider what should be the qualification of burgesses in Ireland who shall be allowed to vote for Municipal purposes. It is proposed in the Bill that there shall be two classes of rates; that there shall be one qualification for the burgesses of the larger boroughs, and another for the burgesses of the smaller corporate towns. I know that a learned Gentleman proposed to give a 10*l.* franchise similar to that conferred by the Irish Reform Bill, and to declare that every inhabitant householder in each of these towns, in possession of a house, either separately or with land, of a certain annual value, and whose name was registered, should, in the words of the Bill, be entitled to vote for the Municipal officers of the city or borough. If this rule was applied to the smaller towns in Ireland, I think that it would not give either a fair or a full representation of those who are taxed for Municipal purposes, as in many of the smaller towns there are comparatively few 10*l.* householders. For instance, if this principle was to be adopted in the town of Lisburne, there would be only ninety-one electors, while there are 600 houses in the town. This would also be the case in other places. In the town of Dungannon, where there are 617 householders, there would be only 165 electors. In Derry, where there are 3,074 houses, there are only five hundred 10*l.* householders. In the town of Ennis there would be only one hundred electors. In Kinsale, which contains a population of 10,000 souls, there would be only one hundred electors. In Portarlington, where there are 500 houses, there are only 130 ten-pound householders. In Dundalk, with a population of 10,000, there are very few ten-pound householders. The question is, what qualifications should be fixed in towns where there are so small a number of occupiers of houses of this class. I think that the House should be directed by what had been laid down in a Bill which passed relative to these boroughs in 1818. By this Act a certain number of the inhabitant occupiers of houses of the annual value of *5l.* in any city or borough in Ireland, might call upon the Lord-lieutenant to direct that a certain number of parishes should be elected by them to make rates for the purpose of watching, lighting, and paving the said town. If the Lord-lieutenant consented to do so, then the inhabitants might within a certain number of days elect trustees to carry the other provisions of the Act into effect and make rates. The qualification for a vote under this Bill was, that he should be the resident occupier of a house in the town, of the clear yearly value of *5l.*, and that no occupier of a house of less value than *5l.*, could be rated. The Commissioners in their Report made the following observation on this subject:—"The ill effects of withdrawing the management and direction of Municipal affairs from the control and vigilance of the community, and from responsible authorities have been long felt, and endeavours have been made by Parliament to remedy the evil, and to provide for the due exercise of municipal functions in relation to the paving, lighting, cleansing, watching, and improving of corporate towns *by various local acts*, vesting such authorities in separate boards, either as in Dublin under the appointment and control of the Crown or elsewhere in select bodies of the inhabitants, under the names of Commissioners, elected by the resident householders who contribute to the necessary assessments; in the latter class of cases recognising the value of election by the general inhabitancy without other distinction than the degree in which they contribute to the exigencies of the town as well as the necessity of submitting the expenditure and accounts of the public funds to the vigilance and control of the people themselves." These principles have been extensively adopted in the recent enactments of the statute 9 Geo. 4., c. 82, which provide for the establishment, in corporate and other towns in Ireland of a resident Board for these useful purposes, elected triennially by and from the inhabitant householders, and the provisions of which we have found already in force in many corporate towns. We have therefore only to look to a constituency that was formed for other purposes—we have only to turn to the provisions of the 9th of Geo. 4., c. 82, and we find a constituency that has continued to work well. In all the towns, therefore, which I have just mentioned, as well as in all other towns of a similar kind, we propose, that every inhabitant being the occupier of a house of the annual value of *5l.* shall be entitled to vote for the Members of the Municipal council. We propose that in Dublin, Limerick, Belfast, Kilkenny, Waterford, Cork, and Galway, that the constituency should be composed of *10l.* instead of *5l.* householders. In no case under this Bill will a person occupying a house of less than the annual value of *5l.* be entitled to vote. We propose also in the Bill, that no person shall be qualified to act as councillor or alderman in the larger boroughs who is not possessed of 1,000*l.* after the payment of his debts, and in the smaller boroughs that 500*l.* shall be the qualification for a member of council. The seven large towns which I have mentioned and also the towns of Londonderry, Clonmel, Drogheda, and Sligo, the population of which exceeds 15,000, we propose shall be divided into wards, the boundaries of which shall be specified by a Bill to be introduced in the present Session. We also propose that the burgesses shall, in the present year, elect not merely the councillors, but also the whole number of aldermen—that is that those of the councillors shall be aldermen who have been elected by the greatest number of votes. The House will observe, that in this respect there is a difference between the present and the English Bill, according to which the councillors elect the aldermen. The consequence of allowing the councillors to elect the aldermen in the English boroughs has been, that in all places where there has been any majority of one party, that majority has been greatly increased by the addition of the whole number of aldermen. Therefore to obviate this result from this mode of proceeding, which was introduced as an amendment into the original Bill, we propose in this Bill to have a general election of both aldermen and councillors, and that those of the councillors shall be aldermen who are elected by the greatest number of votes. It is also proposed that one-third of the number of councillors shall go out of office every year, and that one-half the aldermen shall go out every third year. It is also intended that a Commission of the Peace shall be granted by the Lord Lieutenant in those cases in which he deems it expedient to do so. The only borough Magistrate, in other places, will be the mayor, who will, during the tenure of his office, be in the Commission of the peace. In many places it will be desirable to grant a separate commission of the Peace, but this of course must be left to the discretion of the Lord Lieutenant. In the whole, there are about 140 borough Magistrates, whose functions as Magistrates will cease by the operation of this Bill. I do not think that there are many other points on which this Bill differs from the English Act. I should, however, have stated, that in cases of misapplication of the corporate funds, it is proposed that, instead of proceeding by the tedious mode laid down in the English Act, that a more summary proceeding shall be adopted. In cases of debt the proceedings will be by attachment. We propose, also, to give to the council of certain towns—namely, of Cork, Dublin, Kilkenny, Limerick, Waterford, Carrickfergus, Drogheda, Galway, and Londonderry, the power of electing their Sheriffs. By the succeeding clause it is also declared, that no person so elected by these town-councils shall be capable of serving as Sheriff until he has been approved of by the Lord-Lieutenant. At present the Lord-Lieutenant has the right of disapproving of any person elected by a Corporation as Sheriff, but he cannot order a Corporate body to proceed to the election of another person in consequence of this inconvenience, which has occasionally arisen; and in one instance in Dublin, a person whose appointment was objected to by the Lord-Lieutenant was elected not less than three times, and the Corporation persisted in sending up his name for approval. It is, therefore, proposed that if the Lord-Lieutenant objected to a name, that the council shall proceed to elect another person. These are the general provisions of the Bill, and it remains now to be considered whether, as the House has passed extensive measures of Corporate Reform for England and Scotland, it will refuse to grant to Ireland a measure founded on similar principles. I think that there is not any person who, having considered the provisions of the Bill, will say that it is proposed that the franchise should be liberally bestowed in Ireland as it has been given in England. I cannot understand on what other grounds the proposition for this measure can be opposed, unless on the assumption that there is something in the state of society in Ireland which must prevent a British House of Commons giving such a measure of Reform to Ireland as was found to act so beneficially in England. I know that it has been said, that the inevitable effect of this measure would be to take the power out of the hands of one party and give it to another. I am aware that this has repeatedly been said, but whatever credit may be attached to my assertion, I have no hesitation in saying, that if I thought that this measure would take power from one exclusive and violent party, and give it to another equally so—if such a party could be found—it would not have a more determined opponent than myself. But I deny that such will be the effect of the measure; but such I anticipate will be the objection of some hon. Gentlemen. I will, however, remind them that the body elected by the constituents at large, will have all its proceedings narrowly scrutinized, and all its accounts audited. I do not believe that the council will be exclusively either of one party or the other, as the chief object would be in every case to secure a good administration of the funds of the Corporation. I would ask, however, whether the Corporation party in the city of Dublin, or in other places, truly represented the Protestant feeling of these towns? or will any one tell me that the Corporation of the city of Dublin represents anything like the wealth, the respectability, or the intelligence of that city? I could mention cases where the most respectable persons have been refused to be elected members of Corporations without any grounds being assigned. I know that there has long been a most cautious exclusion of persons of liberal opinion from their corporate bodies. But I ask, would this measure have the effect of giving an ascendancy to any political party? I recollect when the Irish Reform Bill was introduced that the same argument was used. To answer this assertion I cannot do better than refer to what was said in the debate when it was attempted to exclude Ireland from the benefits of the Reform Bill. I will quote the observations that were then made by the noble Lord, now Member for North Lancashire, then Mr. Stanley, and Secretary for Ireland, on this point, because I think that nothing more appropriate could be said on this subject. "I have every reason to believe that this Bill will meet the uncompromising opposition of a certain party on a religious ground—namely, that it will endanger the Protestant Church and the Protestant institutions in Ireland, by giving too great a preponderance to the Catholic interest. If I believed that the danger was such I would most certainly not have proposed this measure; I will, however, meet the objection *in limine,* by at once saying it is no argument in 1832." It is inconsistent with the whole spirit of our legislature, it is inconsistent with the system which was perfected by the great legislative measure of 1829; for from the moment that measure became the law, all distinctions between Protestants and Catholics were removed. [*Hear*] The hon. Member for Dundalk, that stout and real representative of the people of Ireland, cheers that observation; but I repeat that upon the passing of that Bill you laid down the principle that from that day the Catholics were in all cases as possessing equal civil rights with their Protestant fellow-subjects, and that they were no longer to be excluded from a participation in all political rights. It was said in vindication of that measure, that from its largeness and extent it left no question behind, and it was said if any portion was left, in point of fact the whole Catholic question was still open. You have admitted the general proposition of an equal share in civil rights; you have affirmed that there is no distinction between the rights of the members of the Church of England and the Dissenters—between the Protestant and the Catholic. Upon what ground, then, do you say, 'We will not grant an equality of rights in these Corporations, but we will continue to exclude the Catholic, and the Protestant Dissenter, from having a share with ourselves. We will extend privileges to that individual or class, because he or they is, or are, Protestant, and we will exclude all Catholics.' I say if this is done, the Catholic question is still left behind to be settled." In a subsequent part of his speech, the noble Lord said, "I really am astonished that any one can pretend that it is necessary to retain these close boroughs, in order to preserve the Protestant interest." The noble Lord then proceeded with his argument in answer to the assertion, that the petty boroughs created by James 1st were founded solely for Protestant purposes. "I really am astonished, that those who contend that it may be proper to throw open the Corporations in England, assert that there can be no ground for doing so in Ireland; and if any one looks back to the state of Ireland, he will see that Catholics as well as Protestants formerly had the right of voting for representatives in Parliament for these boroughs. I am aware that James the 1st., that Conservative monarch as he is described by hon. Gentlemen, created a number of new boroughs; but I do not agree that he created these forty boroughs in order to increase the Protestant ascendancy. In these boroughs it does not appear that the franchise was then confined to the Protestants; on the contrary, Catholics were allowed to participate in it. At any rate, we have sufficient evidence to show that hon. Gentlemen are mistaken in supposing that these boroughs were founded with the view they have stated." The noble Lord then quoted from the speech of Sir John Davies, made in the Irish Parliament in 1613, in which he says that the boroughs were created, in order that the voice of the people might be heard in Parliament, and that they might have some influence in the laws which they are called upon to obey. "You declare," the noble Lord then continued, "that there is to be an equality of right, but that the Catholics shall not be permitted to participate with their Protestant fellow-citizens in the election of representatives in Parliament, because they have no community of feeling with their fellow-citizens, and because they have no community of interests. In my mind, those persons who defend the existence of the Irish boroughs, make their rottenness their chief merit." The noble Lord, in the latter part of his speech, made some further observations of equal importance. He said, "if the change which is proposed in this Bill can be effected with safety, we are called upon to make it by all the claims of justice, and by all the claims which Ireland has upon us, by all the ties which bind both countries together in what, I trust, will be an indissoluble union. I will call upon the English Members not to consider the interests of Ireland as distinct from those of England, or that this is a matter in which England has little or no interest—I will call upon those who are the friends of reform in England to look back and consider what has been the conduct of the Irish Members on the English Bill. Have the Irish Members given a cold and reluctant consent to the English Bill?—or have they given it their warm and generous support? We have been told that the circumstances of the two countries are different, but I am sure that hon. Gentlemen will find that the principle of reform is the same whether it is applied to England or Ireland, and that if it be just here so it must be just there. I would entreat those who advocate the Conservative interest, and who consider themselves the supporters of the Protestant institutions, to look to the danger to which these institutions will be exposed in Ireland by withholding the privileges which this Bill is to confer. If they wish to give Ireland a real, solid, and substantial grievance—if they wish to give some handle to excitement, and to present a strong argument for the Repeal of the Union, they need only show that in a British House of Commons English interests are treated in one way and Irish interests in another. But in England the Government rules by free representation and by the voice of the people, while in Ireland that voice is stifled, and the people are shut out from a fair share in the choice of representatives. I fear that if we do not coincide, in a spirit of fairness and justice, agitation will break out in a manner which it has never done before. I cannot conceive anything more clear than that the present measure is only the extension of the principle of the English Bill to Ireland. I cannot conceive upon what principle we can refuse to place both countries on an equality, and make the same principles applicable to the election of all the Members of the United Legislature of the British empire. Now I ask after this can it be said, or will it be said, that it was just and politic to extend the same measure of Parliamentary Reform to Ireland that was conceded to England, and that the same measure of Municipal Reform cannot be extended to Ireland that has been given to England. There are thirty nine boroughs in Ireland, and most of them are extensive Corporations. As regarded the election of Members of Parliament these places were opened by the Reform Bill, and Catholics were enabled to vote. I need not observe that the great portion of the population in all these places is Catholic; and on looking to the result of the first election after the Reform Bill, I find that thirteen Roman Catholics were returned by these boroughs, and twenty-six Protestants. Here then the proportion of Protestant to Catholic Members for these boroughs was as two to one. In the present Parliament, I find that the proportion of Catholic and Protestant Members is nearly the same. I defy any hon. Gentleman opposite, be his political opinions what they may, to show me a single instance in which a Roman Catholic elector voted against a candidate in consequence of religious feeling. I defy any one to prove this—I challenge any hon. Member of this House to show this; if it were the case my challenge could be easily answered, but I am sure that it cannot. In referring to recent elections in Ireland, I find many instances in which a Catholic constituency have elected a Protestant in preference to a Catholic candidate. In the borough which I have the honour to represent four-fifths of the constituency are Roman Catholics, and previous to the last election there were two bitter contests for the representation, and the candidates were Protestants and Catholics, and yet in each of those contests a Protestant was returned. In the county of Waterford four-fifths of the constituents are Catholics, and yet on the recent contested election there was the same result. I defy, then, any man to show that religious feeling operates with the electors. Another way of trying this is, to refer to the operation of the 9th of Geo. 4., c. 82. Under this Act there is a constituency of 5*l.* leaseholders to elect trustees. In each borough twenty-one Commissioners are elected for the purposes of the Act. Now, what is the effect in many of the towns where the great bulk of the voters are Catholics? In Coleraine all the Commissioners elected are Protestants. In Newry, where the Roman Catholics form the bulk of the constituency and which is represented by a Roman Catholic, thirteen Protestants and eight Catholics were returned as Commissioners. In Youghall nineteen Protestants and two Catholics were returned. Now I will challenge any hon. Member to show me a single case in which a Catholic constituency preferred a Catholic to a Protestant in a situation of trust on account of his religion. I assert, without hesitation, that no feeling of this kind prevails. I therefore am justified in asserting, with perfect confidence, that I do not think that religious feeling can operate in the administration of municipal affairs. I ask hon. Gentlemen opposite, if they are prepared to propose any other measure as a substitute for that which I now propose. It might be argued from the cheers with which the petition from Belfast was received, and from the manner in which the observations of the hon. Member who presented it were received, that some Gentlemen were not satisfied with reforming the Municipal Corporations in Ireland, and would be content with nothing less than their total destruction. I confess that I should be afraid to make such a proposition, being, as I am, a Reformer, and wishing to improve and not to destroy; and until I find some Destructive rising up and proposing the abolition of Corporations in Ireland, I will not believe that such a proposition can seriously be made. I know if such a proposition were made to the House that it would never be sanctioned. But I would ask, is it possible that such a recommendation can come from a pretended friend of Corporate Reform? Such a person must know that by adopting such a step the Legislature would be sanctioning laws such as I have already described. Will any man in this House say, that he is prepared to sanction the loans that were made with reference to the property of the boroughs of Cashel and Naas? Is any one prepared to give his support to a proposition which would sanction the proceeding by which property undoubtedly belonging to the poor of Cashel should be alienated from them for ever. The object of the Bill is to invest the management of such property in the hands of Commissioners elected by the persons interested in it. I respectfully claim the vote of hon. Members in favour of such an object, and against any proposition for destroying the Corporations of Ireland. I claim the vote of every Member who is not a destructive. I claim the votes of those who say that there is nothing in the state of society in Ireland which should prevent that country from having extended to it the same measure of justice and right principle which England and Scotland have been deemed entitled to enjoy. I ask the votes of all those who have stood up for the vested rights, and even the inchoate rights, of freemen; and who have stated that the continuance of the connexion between the two countries depends on the freemen. I ask, will they advocate a proposition to destroy the Corporations, unless they conceive there can be freemen of a body which does not exist? In fine, I ask the support of all the advocates of equal rights and equal privileges; and who think that nothing can suggest the idea of a Repeal of the Union but the refusal of England to extend those rights and liberties to Ireland. I have troubled the House at some length; but I trust I shall be excused, on account of the importance of the subject. Thanking the House for the attention which has been paid to my statement, I shall conclude by moving, "That this Bill be now read a second time."

The Question being put,

Sir *Robert Peel* was desirous to rise at that stage of the Bill, and at that early period of the debate, in order that he might have an opportunity of laying before the House the views which, in common with many others, he entertained with respect to this important measure. He wished to speak at that early period of the discussion, in order that he might be enabled to present those views in a less desultory, in a more connected, in a more dispassionate manner, than he might be able to do if he were to rise at a later period of the debate, amid the excitement of political contention, and after the introduction of topics calculated, from their connexion with party interests, to disturb a calm review of the abstract merits of any particular measure. He wished to rise at that stage of the Bill for the purpose of presenting his views to the House at a period when it was not necessary to pronounce an immediate decision. Feeling fully convinced of the justice of those views, and believing that their adoption would conduce to the impartial administration of justice, and the general good government of Ireland, he was most desirous that a final decision should not be pronounced till full opportunity for the most mature deliberation had been afforded. The matter under discussion was not one of merely local or municipal concern; it did not merely relate to the peculiar interests of certain communities in Ireland, but involved considerations of the utmost importance respecting the administration of justice, and the efficiency of the civil power; it had reference to many matters deeply affecting the feelings, and interests, of that country, and the permanent cause of general good government. Before noticing any parts of the speech of the right hon. Gentleman opposite, which he would refer to as they occurred in connexion with his own arguments, he would briefly allude to the general position of the Corporations of Ireland. The right hon. Gentleman had justly remarked, that the Corporations now actually in existence there amounted to about sixty in number. At the time the legislative Union between Great Britain and Ireland was effected, the number was ninety-five, but since that period it had been reduced, by the decay of several, to the present number of about sixty. The Report of the Commissioners who conducted the inquiry into Irish Corporations, bore reference to two distinct eras. The first related to that portion of time which intervened between the reign of Henry 2nd, and the accession of James 1st; and the second, from the accession of the latter monarch to the present period. Of the ninety-five Corporations which existed in Ireland at the period of the Union, eighty were governed by charters of a date subsequent to James 1st. In the statements which he was about to make, he should take for granted the accuracy, as to facts, of the Report from which he quoted. Of the ninety-five Corporations, eighty were governed by charters subsequent to James 1st, of the other fifteen, four claimed to be governed by prescription, nine by charters earlier than James 1st, and two by statute. The right hon. Gentleman had promised, in the beginning of his speech, that he would show that these Irish Corporations were originally founded on enlarged and liberal principles of municipal government; but that promise he had not attempted to fulfil. Speaking of the period before James 1st's accession, it would indeed be rather difficult to prove that charters granted in that early period of Irish history were intended to support popular principles of municipal government. It would be much more consistent with the truth to describe them as mere outworks and defences for maintaining English authority amid a rude and hostile people. He believed that the learned Member for Dublin had formerly contended that some Corporations claimed to have been governed by prescription, at a period anterior to Henry 2nd. The evidence in support of this claim was exceedingly slight and unsatisfactory, but the point was not one of much importance. The first charter granted by Henry 2nd was dated in 1772 or 1773, at Dublin, and was granted "to the men of Bristol, of his city of Dublin, to inherit and hold of him and his heirs, all liberties and free customs which the men of Bristol had at Bristol and through all his territory." The Commissioners, in their Report admitted that the early charters gave no definition of who were to be members of the corporate body, nor prescribed how they were to be elected, and that it was difficult to point out with precision the rights to corporate franchise, as they existed in those ancient communities. The Commissioners also stated, "That it would appear that at a very early period the right to claim admission as a member of the corporate body became subject to conditions and regulations, probably as its commercial value increased; and we cannot refer to any Corporation created before the reign of James 1st in which we have evidence, beyond what may be inferred from the terms of the charters as above alluded to, that mere inhabitantcy, at least unconnected with the tenure of property, constituted a sufficient and recognised title to admission." So much for the charters granted previously to the accession of James 1st. With respect to those granted subsequently to that accession, the right hon. Gentleman had made a faint effort to prove that they were not, in point of fact, intended for the maintenance of Protestant ascendancy. His own strong impression, from some acquaintance with Irish history, was, that forty-six or forty-seven of the charters granted by James 1st, and subsequently, had for their exclusive object the support of Protestant interests; and to remove all doubt on this head, he begged to refer the House to an authority more recent than that of Sir John Davis, an authority which the Gentlemen opposite would respect, for it was to their own Commission that he should refer. Two members of that Commission, Messrs. Moodie and Pigott, in their Report upon the City of Londonderry, stated, that "in the year 1613, a Parliament was assembled in Ireland after an interval of several years, during which no Parliament had sat, and during which seventeen new counties had been formed, and forty new boroughs had been created. The creation of these boroughs appears plainly to have been designed to increase in the new Parliament, the influence of the Crown, through the persons who had received those large possessions from its bounty, and to give to the settlers who formed the heads and free burgesses of the new Corporation, or rather to the owner of the soil on which the borough was created, direct influence and power in the Legislature. They were, in fact, close boroughs, exclusively Protestant, and sending into Parliament a large body of new Members, whose presence King James required to control the party then adverse to him, and possessing considerable power in the Irish House of Commons. These close boroughs continued until the Union the property of the landed proprietors on whose estates they were situated; and they were made the subjects of pecuniary compensation when the Parliamentary patronage of them was abolished. "As far," say the Commissioners, "as we are able to state, they were close Corporations (except Derry and Coleraine), and were framed to exclude all influence but that of property." This description of Irish Corporations established during the reign of James Ist, was at direct variance with the statement of the Attorney-General, and with the preamble of his Bill, which assumed, as it was convenient for his purpose to assume, that Irish Corporations were all originally framed upon some enlightened principles of municipal government. It recited, "Whereas divers bodies corporate at sundry times have been constituted within the cities, towns, and boroughs of Ireland, to the intent that the same might for ever be and remain well regulated and quietly governed." Now if this preamble had made an exception in respect to near fifty Corporations, and had recited, that they were close boroughs, exclusively Protestant, and intended to be so, this would have been more consistent with the fact, and with the Report of the Commissioners, than that the object was to provide good government on enlightened principles for the Corporations of Ireland.

The truth was, that this Bill, whatever the right hon. Member might say to the contrary, amounted to a complete extinction of the ancient corporate bodies of Ireland. If they looked at the original object for which the existing Corporations were instituted, and the exclusive principles upon which they were founded—if they looked at the principles upon which the new Bill was framed, the extensive constituencies to be called into operation by it, and the objects it was to achieve, if these were compared together it would be wholly impossible to deny that the ancient corporate system of Ireland was marked out for entire and complete extinction, and that a new and totally different system of corporate government was erected on the ruins. It was mere affectation in the right hon. Gentleman to deny it. What said the Bill? "That so much of all laws, statutes, and usages, and so much of all royal and other charters, grants, and letters patent, rules, orders, and directions, now in force relating to the several boroughs named in the schedules A. B. and C., or to the inhabitants thereof, or to the several bodies, or reputed, or late bodies corporate named in the said schedules as are inconsistent with or contrary to the provisions of this Act, shall be, and the same are hereby repealed and annulled." What single law, statute, or usage now in force, was consistent with the provisions of this Act? Not one. All, therefore, would be swept away, and for the right hon. Gentleman who presented this Bill of forfeiture and extinction, gravely to get up and profess a holy reverence for ancient institutions, and a horror at the Destructives who should contemplate their extinction, was sheer affectation and mockery. Oh no! the House will not be deceived by this pretended respect for ancient rights and franchises. It will feel that the extinction of the old Corporations by the new Bill was quite complete; and whether the right hon. Gentleman erected his own system upon their ruins, or annihilated the former system, without providing a substitute, the destruction in each case was the same—as effectual as could be: there would be no more connection or analogy, between the old corporate bodies and the new, than between the present department al system of government in France, and the old divisions of that country into provinces.

At the same time he did not deny the necessity of an extensive change in the system of local government in Ireland. The question is how shall that change be effected? Shall we attempt, by partial modifications, to reform the existing Corporations, or shall we extinguish them altogether—or shall we assent to the plan of the right hon. Gentleman. If we dissent from it, and extinguish the Corporations, how shall we provide for the performance of the necessary municipal functions. These were the practical points for consideration. For himself he had never thought it possible to amend the corporate system of Ireland as it exists at present; nor should he advise a partial modification for the purpose of propping up a system which was radically bad. They might enlarge the number of freemen, or make new regulations in respect to the admission of freemen, and cure some of the evils which were inherent in the present system; still they could not, in his opinion, overcome by such means the grave objections which applied in principle to the continuance of that system even modified by these slight alterations. A system which presented so limited a number as but 13,000 corporators out of a borough population of 900,000 was too exclusive in respect to number. The basis was not sufficiently wide. Superadded to this was the consideration that the corporators were almost entirely of one form of religious faith. Political feelings were thus unavoidably mixed up with the administration of justice, and even though that administration of justice might be perfectly pure, still the suspicion of partiality precluded satisfaction with the awards of those who were looked on as political partisans. He had listened with attention to the objections made by the right hon. Gentleman to the present municipal system, and to many of them he assented. One of these related to the misapplication of corporate funds. He was as unwilling as the right hon. Gentleman could be, to connect himself, or the party with whom he had the honour and satisfaction to act, with the sanction of any such abuses. As the facts stated, he had not the same means as the right hon. Gentleman of ascertaining whether they were in every point well-founded. He had no hesitation in saying, that where abuse of such funds existed, or where there was a possibility of its recurrence, that the abuse ought to be corrected, and security taken against the future repetition of it. He was persuaded that the original intention of the grantors of corporate property, must have been, that it should be applied to the public benefit, and not be perverted to private advantage. He had no hesitation in saying further, that there were other and more comprehensive grounds on which he could not advise the maintenance of the existing corporate system in Ireland, or any partial modifications of it. He considered the system inconsistent with the principles and fair legitimate consequences of the Act of 1829. That Act established in respect to civil offices, a perfect equality among all classes of his Majesty's subjects. The object of that Act was to make civil worth the test of qualification for office, and not religious faith, and if there were a system which deprived a Roman Catholic of free access to corporate privileges, and conferred such privileges on others, simply because they professed the established religion, he cared not whether that distinction were established by the operation of a particular law or existed practically and almost universally without being enjoined by law, he was of opinion, that it was at variance with the principles of the Act of 1829, and ought to be put an end to. If this reasoning were admitted, they must come to the conclusion, that it would not be wise to amend in order to continue such a system. The next consideration, then, which demanded their attention, was, the nature of that system of local government which should be proposed in lieu of the present? and he trusted the House would give him its indulgence while he stated his views on the subject. He would first examine the plan proposed by the right hon. Gentleman. If he should mistake any part of that plan, the right hon. Gentleman would have the goodness to correct him. He certainly should not mis-state any part of it intentionally. After providing for the demolition of the existing Corporations, the Bill went on expressly, and by name, to provide for the government of fifty-four towns; and to forty-seven of these it gave a household franchise of 5*l.* In point of population, it descended exceedingly low; for in the town of Middleton, with a population of 2,034; and of Belturbet, with a population of 2,026, it established a local government, consisting of a mayor, four aldermen, and twelve town councillors. All this cumbrous and not inexpensive machinery for towns with a population of only 2,000. The Bill also gave to the Lord Lieutenant a power of applying the provisions of the Bill to any town in Ireland he pleased, to select, without any necessary reference to its population. The Bill also contained a provision—a most extraordinary one—a provision which, like many others in the Bill, varied not only in words, but in substance, most importantly from the corresponding provisions of the English Bill. The English Bill provided, that if the inhabitant householders of a town petitioned the King to grant them a Corporation, the King shall be at liberty to do so, and the Irish Corporation Bill of 1835 contained a similar clause. But, under the present Bill, any of the inhabitant householders of a town might invoke the Lord-Lieutenant to grant them a Corporation; and his Lordship was empowered to do so without reference to the number of petitioners. Why this marked departure from the English Bill, unless it be intended to extend the new Corporations in Ireland indefinitely? The right hon. Gentleman said, that the object of the Government is, by means of this Bill, to call one uniform system into operation in all the corporate towns in Ireland. Be it so, but where was the necessity for encumbering towns like the two which he had mentioned—towns the population of which did not exceed 2,000—with such a ponderous instrument for managing their domestic concerns. He admitted that these two towns had nominally Corporations at present, but there was nothing in their constitution, or in the circumstances of the towns, so peculiar as to call for the establishment of new corporate authorities on the extinction of the old ones. There were many towns which now had Corporations, to which it was not intended to give new Corporations. The Bill had not adopted the rule that every town having a Corporation should continue to have one; the rule the Bill apparently adopted was, that towns now being corporate, and having more than 2,000 inhabitants, should continue to have Corporations. But, surely, the main point to be considered was, whether a Corporation was or was not a benefit to a small town. If a benefit, why limit it to towns which happen to be now corporate? If an evil, why inflict it on them because they are corporate? The Bill must assume, that a Corporation is, in the abstract, a benefit to a town which has 2,000 inhabitants, and this assumption must be considered a rule to guide the Lord-Lieutenant in the exercise of the discretion given him by the Bill. The House of Commons would virtually, by this Bill, declare that 2,000 inhabitants constituted a proper limit, and that towns with a population above 2,000, ought to have Corporations. He had ascertained that there were 126 towns in Ireland, with populations consisting of 2,000 and upwards; he had, therefore, full right to infer, that the *minimum* of incorporated towns would be 126. On the *maximum* on the increase of the number of Corporations there was no limit. If any town having 1,000 inhabitants, for instance, petitioned the Lord-Lieutenant to be incorporated, he was not bound to comply with that petition, but he would have a perfect right to comply with the petition if he chose. If, however, the inhabitants were more than 2,000, looking to the principles of this Bill, and to the rule laid down by it, such town would have a fair right to expect that the Lord-Lieutenant, acting on the principles laid down by the Bill, would grant them a Corporation. Each of these Corporations, so constituted, was to have the power of making by-laws—such by-laws as to them should seem meet for the good rule and government of the town. Those by-laws would require the sanction of the Lord-Lieutenant, and he presumed they must not be at variance with the law of the land. In general, a provision was inserted in measures empowering chartered companies to make by-laws, that such by-laws should be consistent with the law of the land, but no such provision would be found in this Bill. There was, of course, no necessity that the by-laws of different towns should be in conformity with each other, so that there might be 126 towns in Ireland having each a different system of by-laws and regulations established by the town-council of each borough. Offences against these by-laws might be tried by the corporate Justices of the towns. In each of these towns there was to be a Mayor who was to be a Justice of the Peace for the borough, and who was to take precedence of the county Magistrates in those towns. One of the complaints in the Report was, that the corporate Justices of Ireland were at present independent of the Crown; and not subject to that control of the Lord Chancellor to which county Magistrates were subject; but the corporate Justices created by this Bill were, he apprehended, to be entirely independent of the control of the Crown, and of the Chancellor. In the counties of cities of Ireland there was to be a town-council by whom the Sheriff was to be elected. In reference to the appointment of a separate Commission of the Peace in certain boroughs, such Commission could only be issued on the requisition of the town-council, but surely the Lord-lieutenant would be a better judge than any local authority, whether it would be for the interests of public justice that a separate Commission of the Peace should be issued for any particular district or town in Ireland. If he had fairly described the provisions of the Bill, he would attempt to show, in answer to the challenge of the right hon. Gentleman—that that Bill was not likely to conduce to the improvement of the administration of justice in Ireland; and that the principles which they themselves had laid down in preparing other measures connected with the civil force in Ireland, were at direct variance with the principles which this Bill would establish. Before he reviewed the arguments of the right hon. Gentleman he would refer to one of his positions which if correct, was a bar to all argument, which rendered all discussion useless. He maintained that justice to Ireland absolutely required that the same measure of Corporate Reform which had been adopted here, should be extended to Ireland. No matter what would be its practical operation in Ireland, it would be, according to the right hon. Gentleman, an insult and a wrong to refuse to Ireland what had been conceded to England. But he could show this position to be untenable, and he would cite against it the authority of the right hon. Gentleman himself; for the right hon. Gentleman had said, that if he thought the effect of this Bill would be to transfer power from the hands of one party to those of another, he should be found among the most determined and active opponents of it. The right hon. Gentleman then claimed for himself the liberty of examining the operation of this measure, and stated a case in which he himself should be prepared to disregard the argument, that because you had passed a certain measure in England, you must necessarily apply that identical measure to Ireland The right hon. Gentleman alluded to a speech of the noble Lord the Member for Lancashire. What was the nature of that speech? It was made with reference to Parliamentary Reform. It might be unwise to place the inhabitants of two countries on a different footing with respect to the exercise of political power; but if it could be shown that any principle adopted in England or Scotland, or in any other part of the habitable globe, and leading to beneficial results there, would work in Ireland to defeat the ends of justice, he cared not for their vaunted principle of assimilation; he would boldly reply, that the interests of public justice, were infinitely higher, than nominal uniformity in the public institutions which administer it. If the application of that uniformity was incompatible with justice, then, according to the admission of the Attorney-General, determined opposition to this Bill was perfectly justifiable. Now he would examine the bearing of the enactments of this Bill, as they related to the administration of justice—as they related to the efficacy of the civil power by the due administration of the police, and as they related to the management of the corporate funds. He would take first the administration of justice. The right hon. Gentleman said, that there were many imperfections in the administration of justice by the Municipal Corporations in Ireland; that there was great dissatisfaction, and that there existed concurrently an exclusive system of self-government. Admitting all this to be as stated, the right hon. Gentleman proceeded to argue that all he had to do was to introduce popular election and remove the evil. Now he admitted that in many respects the system of popular election might be a check on abuse; but he must, at the same time, say there was a gross fallacy and a fundamental defect in the argument which asserted that the selection by popular choice of the functionaries intrusted with the administration of justice would necessarily ensure, that justice would be administered satisfactorily. Under this Bill there would be the counties of cities, with their Sheriffs, elected by the town council; there would be also the corporate towns, having a separate Session of the Peace, with elected town-clerks necessarily acting as clerks of the peace. In both of these instances the officers appointed by the Corporation would have the summoning, in one case, of the Grand and Petit Juries, in the other of the Petit Juries. Now he would call the attention of the House to the objections urged in the Report of the Commissioners against the administration of justice by officers appointed by Corporations. The Commissioners said in their Report:—"In the Corporations of counties cities and towns (and in one case, that of Londonderry, for the county at large), the Sheriffs appointed by the Municipal Corporations possess and exercise important functions in reference to the administration of justice, both criminal and civil. * * * A large proportion, frequently the majority of the Grand Jurors, is empanelled from the members of the governing corporate bodies,—an arrangement which, as these bodies are at present constituted, practically vests and preserves in limited corporate councils the extensive powers of local taxation given by law to the Grand Juries. The composition of the Grand Juries, which ought to be generally and impartially taken from the inhabitants at large, is thus directly and effectively that of the Corporations, and partakes of their defects and unpopularity. The Corporation and Grand Juries of Dublin afford striking instances of this connexion between the two bodies. In Waterford we find a singular arrangement made to guard against the practice, by an agreement between the Corporation and the inhabitants, that no more than a certain number of the common council should be on the Grand Jury. The exercise of this branch of their functions by the corporate Sheriffs in the return of Petit Juries on occasions of interest to the Corporations, or affecting their influential members or supporters, obviously affords the means of giving an important advantage to parties in their interest, or professing the same local or general political views." That being the imperfection, the groundwork of complaint, he wished to be told how they would remedy it, by making the popularly elected Sheriff and Clerk of the Peace, the officers, who were to summon the jury in those towns, and counties of towns, which it could not be denied were in a state of discord, springing from religious differences and political animosity. In all these towns, with corporate officers holding their appointments independent of any control on the part of the Crown, and nominating the Juries, there was to be, in addition to all other causes of discord, a perpetual system of agitation connected with municipal elections. First, an annual registration of persons qualified to vote; then one-third of the town-council would annually go out of office, and others must be elected in their place; then would come the election of the Magistrates; then the election of the town-clerk and other officers; and thus almost the whole year would be spent in elections, or in proceedings preparatory to elections. Did they mean to say, that under such a state of things party spirit would not prevail. Would they say, that parties would not be pitted against each other—that there would not be active canvassing—that clubs would not be formed to include in the Corporations one set of members and to exclude another—that the town-councils would not be elected with reference to political interests—that the Sheriffs and other officers appointed by the town-councils would be free from political bias. Could they, then, infer that the administration of justice would be more satisfactory, for the single reason, that the officers mainly instrumental in it would owe their appointment to the predominance of a party, and the arts by which popular elections were determined. While listening to the speech of the right hon. Gentleman, he marked the important admissions which escaped from him, with respect to the administration of justice, and he would ask what more security for the pure administration of justice did this system afford than they had in the system for which it was a substitute? The right hon. Gentleman said, that his charge against the present Sheriffs was the intimate connexion they established between the Corporations and the Grand Juries. What was there in the Bill before the House to prevent such a connexion from continuing to exist? An intimate connexion between the Corporations and the Grand Jury! This was the grievance. But where was the remedy that this Bill applied? If the present Sheriffs marked their respect for the present Corporations, why should the new Sheriffs show less of deference to the popularly-elected Corporations, from whom they were to receive their appointment? What was there in the principle of popular control—admirable as it might be as a check on abuses of a certain class—what was there in popular control, as exercised over the Sheriff, tending to diminish his sense of obligation to the party to which he owed his election. That would be the party which would exercise the supposed control, and which would have a common feeling with the Sheriff in favour of promoting their common interests. The right hon. Gentleman said, that a difference of opinion in politics ought to form no ground of challenge as to the eligibility of persons to be elected as corporate officers, or corporate jurors. The Sheriff might be a political partisan. He might return men with political opinions corresponding to his own to serve on the Grand Jury, and there would be no ground of disqualification or challenge on this account. But would there not be the very same ground for complaint that there now is against partial officers and partial Juries? The right hon. Gentleman urged as a conclusive argument against the present system—against the selection of the Grand Jury by a corporate officer—the abuse which had occurred in some proceedings at Limerick. He brought forward the case of some fishermen who were fired at by the watermen of the Corporation; in consequence of which firing death ensued. The Corporate Sheriff returned the Jury, and the Corporate Jury, acting in support of the corporate rights, acquitted the watermen, and convicted the fishermen of homicide, though they were the party sustaining the loss of life. That was a grievous case, no doubt; but would the right hon. Gentleman say what provision there was in his Bill which would make it the interest of the Grand Jury, appointed by the Corporate Sheriff, instead of supporting the corporate rights, to administer justice impartially? Would the right hon. Gentleman say in what single respect popular election, and the party spirit connected with it, afforded a security that justice would be done in a case which involved corporate rights or party interests? So much for the administration of justice.

He would now state to the House the outline of the proposal which he was inclined to make. In the case of the counties of cities and counties of towns, he would at once place the nomination of Sheriffs for those counties of cities and counties of towns in the hands in which the nomination of Sheriffs for counties was placed. The right hon. Gentleman interposed his clumsy and ineffectual contrivance of the veto of the Lord-Lieutenant on the nomination of the town-council. Such a check would be quite ineffectual. Why establish a divided responsibility between the parties? The right hon. Gentleman proposed that the town-council should name the Sheriffs, and the Lord-Lieutenant should have a power to reject. If the Sheriff had been guilty of any gross offence—if he had distinguished himself by any very marked or violent political opinions, it was just possible that the Lord-Lieutenant might exercise his power of objecting to the individual. The town-council irritated perhaps by the rejection of their first nominee would then recommend another, and an unseemly conflict might arise between the Lord-Lieutenant and the local-authorities. What possible objection could there be to conferring the power of appointment at once directly on the Lord-Lieutenant? Observe the course pursued by the Government, with regard to the nomination of the county Sheriffs by the Judges. The Government, had in some cases refused to take the recommendation of the Judges. Let them apply their own principles to the present case. If the country was so divided by religious opinion, if it was so divided by party feeling, that the Government found it necessary to refuse to sanction the nomination of the Judges—what security could they have that a town-council elected, possibly, after a turbulent and severe contest, would discharge the duties of recommendation impartially? Why should they have more confidence in the integrity of the town-council than they had in that of the Judges? Why should they fetter the Lord-Lieutenant in his discretion? Why not leave the matter to his decision, which must be looked on as more impartial—be his political opinions what they might— than the judgment of local and conflicting parties? Why not trust him with the same power in respect of Sheriffs in corporate towns, as he had always exercised with regard to the Sheriffs of counties?

He would next address himself to the administration of the civil power—to the superintendance of the police. He presumed that the right hon. Gentleman was prepared to repeat his challenge—and would again demand, whether any man could be found bold enough to maintain that the same principles with respect to police were not to be applied to Ireland that had been applied to England? What—would they insult the people of Ireland by telling them that, whereas they intrusted the town-councils of England with the nomination of constables and superintendents of police, they would not deal out impartial justice to Ireland, and commit the police in that country to the same hands? Would the right hon. Gentleman repeat that challenge? If he did, here was his ready answer to him—it was the right hon. Gentleman's own Bill brought in this Session, which provided for the consolidation and amendment of the laws relating to the establishment of the constabulary force in Ireland. The right hon. Gentleman and his friends had by the introduction of that Bill, acted at variance with, and in direct contradiction to their own principles. They showed that they had a great jealousy of the local authorities in Ireland; they showed, that they would not trust them with the appointment of the police; they brought in a Bill to take those appointments from them, concurrently with this Bill which, on the face of it, proposed that the Municipal Corporations should be intrusted with the appointment of the local police. What were the arguments they used with respect to the county Magistrates of Ireland? Either that they could not be trusted with the appointment of police constables from the influence of party feelings—or that such appointments, emanating from different authorities, would destroy all unity in the police system, therefore they could not listen to the recommendation of the Magistrates, but would vest the absolute power of nomination in the Lord-Lieutenant. The Bill of this present Session provided, for the establishment throughout Ireland of a constabulary force. It recited, that it was expedient to consolidate and amend the Act for the appointment of certain constables and Magistrates in certain districts. It provided, that the Lord-Lieutenant might appoint, in every county, Magistrates and county inspectors, who were to have the direction and superintendence of the police force to be established; it took the nomination of the police from the Magistrates, and gave it to the Lord-Lieutenant, the avowed object being to carry into effect one system throughout the whole establishment of the police. It appointed sub-inspectors, paymasters, storekeepers and clerks. It recited that it should be lawful for the Lord-Lieutenant to appoint, from time to time, at his will and pleasure, such numbers of chief and other constables as should be deemed by him necessary for the preservation of the peace. It expressly enabled him to appoint in the several towns of Ireland constables, sub-inspectors, &c., and it did this for the purpose of excluding local recommendations, and insuring a unity of system. What became of this expected unity if, in the different towns, the Corporations acting under this Bill, appointed severally a local police. He had alluded to the Constabulary Force Bill for the purpose of showing that, so far as regarded the civil power, the acts of the present Government demonstrated that they did not consider popular control necessary, and that in the Constabulary Bill they followed a plan at utter variance with the principles of the present Bill. Not only at variance, but incompatible with, and contradictory to the provisions of this Bill. He excluded, therefore, on their own showing, and on the authority of their own Report, from the objects of municipal government the administration of the civil power, and the charge of the police.

He came next to the possession and control of corporate property. Now the right hon. Gentleman, in the course of his speech, did not state any very conclusive arguments in favour of the power of presentment exercised by such Grand Juries as were appointed by corporate Sheriffs; for he said that in the county of Cork the cess was only tenpence per acre, whereas in the county of the city of Cork the amount levied by the Grand Jury was five or six shillings per acre. But let them examine the Bill, with reference to its bearing in point of economy? It required that a mayor should be appointed, a town-clerk and a treasurer; and it authorized the town-council, out of the borough funds, to apportion salaries to the mayor, town-clerk, and such other officers, without stint or limitation, as the council thought necessary. Here then was a source of copious patronage provided. The right hon. Gentlemen had inquired what would they do with the property of the present Corporations? Now the property was not very extensive. The total amount of the Corporation property in Ireland was about 61,397*l.* a-year; the expenditure was 57,279*l.*; the amount of debt was about 133,000*l.* If they excluded the City of Dublin from the calculation they would find that the total amount of income was 33,000*l.* per annum, the annual expenditure 27,000*l.*, and the debt about 100,000*l.* The property of Corporations in Ireland was derived from two sources—from estates in land and from tolls. One of the provisions of the Bill, in relation to Corporate funds, was exceedingly objectionable. It vested the whole amount of the present tolls in the new corporate bodies, and deprived them of the power of reducing them in certain cases. Now it appeared to him that if there was any one matter in Ireland, with respect to which a new arrangement should be made, it was the system of corporate tolls. They stood on a different footing from the tolls possessed by the Corporations in England. On the principle on which they claimed the right to deal with corporate property, there could be no question, if the Corporations were willing to relinquish the tolls, they ought to be allowed to do so, and there ought to be no impediment thrown in the way of the surrender. The right to tolls of individuals was encumbered with the claim for compensation; this made the settlement of the question in respect to their rights, a difficult one; but the Corporations stood on distinct ground and, for the sake of the industry, and to liberate the commerce of the country, these tolls ought, if possible, to be extinguished. To extinguish the right of the Corporations to levy tolls, would not only confer a direct benefit on the people, but materially promote tranquillity, and subordination to the laws. He might refer to the Commissioners' Report for an account of the manner in which tolls were levied in Ireland, and the violence which accompanied it. In Drogheda they were collected in the following manner, as stated in the Report of the Commissioners. "Until a recent period, the tolls of the Corporation of Drogheda were exacted at the gates, without any regard to the restrictions by 4 Anne, c. 8. Charges were made upon all cattle and goods either entering the town or leaving it, and if passing through, both on the entry and exit; and although they were not driven or carried over the bridge, and although they were not brought to be sold, consumed, or slaughtered in the town. These illegal practices led to a general resistance to the payment of the tolls claimed by the Corporation, and, owing to difficulty experienced in the collection, no one could be found to bid for them when set up to auction in the usual way. From October 1827 to October 1829, the collection was attended with frequent riots. The collector stopped the goods on coming to the gate, or entrance into the town, and demanded the toll. On refusal, the cars were stopped until the owner paid or turned back. The riots were commenced by the farmers waiting until a great number of cars were collected together, when they whipped the horses and galloped through the toll-gate." This was the system continued by the present Bill. The resistance to tolls generally had increased of late years, and to such an extent, that in one-half of the Corporations the attempt to levy tolls had been abandoned. Was it, then, not desirable to place these tolls on a new footing and, if not wholly abolished, to provide for their collection in a different manner. Suppose that a reduction of the corporate tolls were made, in that case they would have to deduct a corresponding amount from the 33,000*l.* per annum possessed by the Corporations. To what an extent that reduction would affect the income of the Corporations he could not at present say, but he apprehended that the whole sum left would be exceedingly small. In some towns the tolls amounted to nearly one-half of the whole revenue. He could not conceive any enactment which would give more universal satisfaction in Ireland, than one that should provide, that instead of levying the toll for the improvement of the town, commerce and industry should be freed altogether from the restraint of corporate toll, in every case, at least, in which such toll was not a security for debts incurred. He would say further, with reference to individual right to toll, that it would be an excellent application of Corporation property, in cases where there was a surplus, to purchase with that surplus the individual right, and remit the future enforcement of it. He admitted that those to whom the distribution of corporate property was intrusted, ought to be liable to render a strict account; and if any improper application of the property was discovered, immediate steps ought to be taken to recover it. If there was a surplus of corporate property, no doubt that ought to be applied to some municipal purpose connected with the improvement of the town. His proposal was, to vest the charge of corporate property *ad interim* in a Commission. He would give to that Commission an instruction to take an extended view of all the important questions connected with the application of this property. He would specially direct them to inquire into, and make a Report on the subject of toll. He would expedite the process of law for the recovery of corporate property; and he much doubted whether a Commission, taking an extended view of the subject, would not recover more property under the existing law, than by any other means.

With respect to the administration of justice to the charge of the police, and to the administration of corporate property, he had intimated the course he was inclined to pursue. He would not consent to the re-establishment of corporate bodies. He did not believe it could be shown, that officers appointed by popular election would give more satisfaction in the administration of justice, than officers selected by the Lord-Lieutenant. He professed a willingness to remedy every abuse they could point out. He agreed, that there ought to be an effectual supervision of the police; he agreed that corporate property ought to be applied to municipal purposes. He admitted, also, that there were objects of local administration, which required the control of a local authority, and of a local authority subject to popular control. But the existing law provided for this. An Act was now in force in Ireland, general in its operation, which provided amply for the lighting, the watching, and the cleansing of towns in Ireland. It was the 9th George 4th cap. 8. The hon. Gentleman dwelt with great satisfaction on the practical operation of this Bill. He said it engendered no party spirit—that the elections under it were conducted with harmony and impartiality. Why incur the risk of disturbing that harmony? Why make the authorities that are to preside over their local Government, political and party functionaries? The Act of the 9th Geo. 4th. was very popular in its construction—twenty householders inhabiting houses of 20*l.* a year annual value shall agree to apply for the extension of the Act to the town where they reside, directions shall be issued by the Lord-Lieutenant for a meeting of the inhabitants to decide upon the propriety of adopting the Act. At this meeting all inhabitant householders of 5*l.* and upwards shall have a right to vote, and the result to be decided by the majority. In case the Act be adopted, Commissioners to carry the provisions of the Act into operation are to be appointed by the election of the majority of those qualified to vote. These Commissioners not to be less in number than ten nor more than twenty-two, and to continue in office for three years. These Commissioners have the power of appointing a treasurer, clerks, and other officers, but the Act gives them no judicial powers whatever. Any penalties may be recovered before a Magistrate of the town or county; but the Commissioners have no connexion in any shape with the administration of justice. The Act gives to them simply the power of providing for the watching and cleansing of the town. The Police Bill of the Government virtually superseded the Act of 9th Geo. 4th., in respect to the establishment of a local watch. It rendered such an establishment unnecessary, by providing an ample civil force, acting on uniform principles, and subordinate to one single authority. But this Corporation Bill re-established the local watch and local police, and destroyed the uniformity which was aimed at by the Police Bill. Why is this? Why not do as you have done here? Did the right hon. Gentleman mean to say that the police force appointed to preserve the peace by day was not sufficient to perform the duties of watching by night? But this had been done in London and Westminster. We made the same force answer both objects, and we found the experiment to be attended with the most eminent success. A Bill of a similar description had been proposed for Dublin, it assimilated the police force there to the police force here, and made the same force subservient to the purposes of discharging the duties of a day and a night police. In this way you give the force consistency, and increase its utility and efficiency. Now, if this system were found beneficial in its operation for London and Dublin, why should it not be at least equally so for Belturbet and Middleton? If it were not necessary to separate the appointment of the watch in London and Dublin from that of the police—if they were wise, and he thought they were, in making no distinction between the police by day or by night, in order that there should be no confusion or clashing in the performance of duties, which only differed in respect to the hour of the day at which they were to be discharged—if that system was found to work well in Westminster and in London—if they admitted that that system should be adopted in Dublin, and that the constable by day should act as the watchman by night, why should they not extend the principle to smaller towns, and make it the general system for Ireland?

The plan which he would propose he would shortly recapitulate, although he had already indicated its principles. He did not propose the maintenance of the present corporate bodies; but he would not consent to the substitution of other corporate bodies, open to, at least, equal objections, in their place. In the present state of Ireland he did not see the necessity for their existence; he thought their interference with the administration of justice would lessen the chances of its impartiality and its purity, while their interference with the police was calculated to abate the efficiency of that body. He thought that corporate property should be applied to local purposes; but he was not prepared to intrust its management to a town-council, absorbing the whole of it, probably, in the payment of corporate officers. With respect to municipal purposes not connected with the police, not connected with the administration of justice, and not connected with the management of corporate property, he would leave the Act, the 9th George 4th, in operation, which permitted Commissioners to be appointed, subject to popular control, and owing their election to popular nomination. Instead of having the Sheriff in counties of cities and towns appointed by the council, he would enable the Crown to appoint that Magistrate. He would abolish all the inferior tribunals of seneschal and baronial courts. He would extend the jurisdiction of the assistant barristers. He believed that that jurisdiction gave entire satisfaction; at least there was a Bill before the House calculated to extend it, on the express assumption that it was entirely satisfactory in its operation. Why not, therefore, introduce the assistant barristers' courts with a jurisdiction more extended, if it should be required, into counties of towns, or if separate functionaries were requisite, let recorders be appointed by the Crown in large cities and towns, who should exercise a similar jurisdiction to that of the assistant barristers in the counties. In the cases of Dublin, Cork, and other towns, he believed the weight of criminal business would be too heavy to be discharged by the assistant barrister of the county. He could also suppose that there might be local tribunals required, subordinate to that of the assistant barristers, or recorders, for the trial of small debt cases. In the case of the county courts of this country, attempts had been made to improve their jurisdiction; and why not act on the same principle for Ireland, and constitute where they were necessary, subordinate courts for the recovery of small debts, on some uniform principle. He was not in the slightest degree opposed, but on the contrary favourable, to the removal of all petty courts, whose functions could be better discharged by superior tribunals. But if they could give to the inhabitants of large towns, an easy and expeditious process for the recovery of small debts, he believed it would be a reform which would give great and general satisfaction to the people. The right hon. Gentleman had asked, what would be done with the property and political rights of freemen, in case of the extinction of the old Corporations? Why, the property and political rights of freemen would stand very much on the same footing under his plan, on which the Bill of the right hon. Gentleman proposed to place them. The right hon. Gentleman did not propose that the old freemen should be part of the constituent body of the new Corporations. They were exonerated in Ireland, as in England, from the performance of municipal duties, and deprived of municipal rights. Whatever were the rights or property of the freemen, they were respected, under the right hon. Gentleman's plan, as rights standing on special grounds, and not because the holders of them were to continue members of the new Corporations. He saw, therefore, no more difficulty in dealing with the political and proprietory rights of the freemen under his plan than under that of the right hon. Gentleman.

He was quite aware, that there were various minute points of detail, on which he had not thought it necessary at present to touch—that many Members of corporate bodies, for instance, were trustees of harbours, and had some control over markets. He believed the House would feel he was justified in considering them as matters of detail, and that it would now be beside the question to enter into them. He did not apprehend there would be any serious difficulty in providing for these cases, and he was sure the House would not require from him, in a discussion on the second reading, to enter so much into matters of detail. But there were some important powers given to the town-councils under this Bill, which were different from those assigned to them in England, and would, he was sure, prove to be matters worthy the most serious consideration. This Bill appointed the town-councils visitors of all Local and Municipal Boards or Commissions connected with ports or harbours, with full power to inspect all accounts, papers, and documents relating to such ports or harbours All accounts, books, and papers of the trustees or other officers, connected not only with the town, but with the harbour, were to be subject to the jurisdiction of the town-council, who were to have summary power over them. He saw it was assumed in the Report that to the corporate body belonged the general care of the commercial interests of the town in which they acted, of all such interests as were in many cities and towns under the direction of chambers of commerce, or other voluntary associations. Was it meant, that the duties now performed by chambers of commerce, and voluntary associations, should, of right, belong to the newly-constituted Corporation? Were all the duties now belonging to Harbour Commissioners, chosen by persons with totally different qualifications and interests, by persons deeply engaged in the commerce, and interested in the shipping of the town —were all these to be subject to the control of the municipal council, and could it be believed that the business connected with commercial property, now superintended by a voluntary association, called a chamber of commerce, should be transferred to the management of a town-council, elected by a constituency of *5l.* householders? This was the principle assumed in the Commissioners' Report. He would take the case of the Chamber of Commerce of Manchester, or any of those which had been instituted in our large towns. Could it be contended, that the functions of a body of that nature must necessarily be devolved on town-councils, however elected? Could it be maintained that that council ought to have a right to compel the production of the papers of any local Board of Trustees, or Commission, connected with a harbour? These powers were much more extensive than any given to town-councils in England; and it was the more extraordinary to see these deviations from the English Bill, when the single argument in favour of the present measure, was the necessity for assimilation and uniformity.

"I admit," said the right hon. Baronet, "that the strict principle of governing Ireland with perfect civil equality, among the professors of all forms of faith, is the only one which can be adopted. In no single respect does the plan which I suggest trench upon that principle. Before the law all parties will stand equal in respect to privilege, and the administration of justice will not be tainted by the intermixture of party interests, and the heated passions of party conflicts. If I had recommended that there ought to be any civil distinction —if I were contending that there ought to be privileges conferred on one class which were withheld from another, I admit there would be a radical vice, a fundamental error, in the proposition. The chief object of our consideration ought not to be to assimilate precisely the system in Ireland to that which we have adopted in England, but to ascertain by what system equal privileges and equal justice may best be secured to all. Whatever be your system nominally and in theory, if the practice is repugnant from it, the evil of that practice is not mitigated by the speculative perfection of the theory. If by self-election you contrive to exclude, practically, one class from civil or corporate privileges, that system is defective and unjust; but I equally contend, that if by adopting the principle of popular election you give a predominance to another class, to one political party over another, and leave the administration of justice in the hands of the dominant party, then, I care not what your theory may be, or the verbal enactments of your law, the injustice is effectually done by its practical operation, and popular election works the same evil in the one case which self-election did in the other. Have you read the evidence adduced before the Commissioners? Do you believe that it will cause the cessation of religious animosity in Ireland, and the administration of equal law—to introduce the system of annual election in 120 Irish towns, and to place in the hands of the dominant party in every large town those officers by whom Grand Juries are to be chosen? I care not by whom undue influence is exerted: it is a matter of indifference whether by landlord or priest. We protest against the injustice that will flow from the selection of political and party men as the instruments by which justice is to be administered. Will any man rise in the House and say, expecting to be credited, that in determining municipal elections in Ireland politics will not interfere? Is there a man who doubts that these elections will be influenced by political feeling? and that the future corporate bodies will be assemblies much more occupied in political agitation, than in the superintendance of mere local concerns. Is this a groundless impression of mine? No. I have for it the great authority on such a subject of the hon. and learned Member for Dublin, who said, on the first day of this Session, when speaking of the municipal councils of England: "The sword is fastened in your vitals, and you feel it festering there. You regret the triumph the Reformers have gained in the municipal councils. You know that there is not one of these councils that will not be converted into a Normal school for teaching the science of political agitation." These were the expressions of the hon. and learned Gentleman, with respect to the town-councils. He prophesied of them, that they would be "the Normal schools for teaching the science of agitation." [Mr. *O'Connell:* I said peaceful political agitation.] I was quoting from memory, but in order that there may be no ground for cavil, I will repeat the exact words of the learned Gentleman, as he was reported to have delivered them. "England (said the hon. and learned Member) had received an instalment of what was due to her, and right well has she used it. You have reason to regret it—you feel the sore festering within you — the triumph of the Reformers in the great towns. Every one of them will be a Normal school for the science of agitation." If that be true with respect to England, is it false with regard to Ireland? If it be true also with respect to Ireland, have we not ample ground to protest against the administration of justice being reposed in such hands? Sir, I make this appeal with great confidence in its justice —I make this appeal to you, and, through you, to public opinion—to that public opinion which, ultimately, will be the arbiter between our party disputes. It will not sanction with its approbation the institution of these schools for the science of agitation. It will not affirm them to be compatible with the pure administration of justice. We concede to you the full justice of your demand for equal law and equal rights. We admit that there ought to be no invidious distinctions—we are willing to relinquish any advantage which the possession of exclusive privileges and monopoly of corporate power may have conferred. When you proposed to transfer from the Magistrates of Ireland the right of nominating the police force, I acquiesced in the justice of that proposition, believing, upon the whole, that, amid the heated passions of conflicting parties in Ireland, the chief Governor of that country will be more likely to make an impartial and an efficient selection of the force by which peace is to be preserved and the law executed, than any local authorities. In deference to your wishes—in anticipation of the royal command—those who have been connected with associations endeared to them by many recollections, have, at the hazard of great personal sacrifices, declared their willingness, not only themselves to withdraw from societies of an exclusive character, but to use their influence in discouraging and suppressing them. We are thus fortified in our claim, that the power relinquished by one party without grudging or complaint, shall not be transferred to another; that there shall not be established, under the pretence of popular election, or any other pretence, a practical domination of one party over another, infinitely more galling and oppressive than that which is the object of complaint.

We ask of you to consider the present condition of Ireland—its present state of society—to recollect your own principles in respect to many subjects of legislation in which you have found it necessary to apply in Ireland a rule different from that adopted in this country. If you have reason to believe, that, in the present state of party feelings, annual elections in every town are likely to engender bad passions—if you have reason to believe that the town-councils so elected, will be converted into political clubs—we call on you, as you value religious peace—we call on you, as you value equal laws—as you prize the security and the integrity of this great empire, not to lend the sanction of your authority, of your moral and legislative authority, to the institution in Ireland of Normal schools for teaching the science of agitation. But, above all, we demand of you, respectfully, but firmly, that you will not make the graduates in those schools, and the professors of that science, the chosen instruments to wield the civil force, and to dispense public justice.

The *Chancellor of the Exchequer* assured the House, that under any circumstances he should feel that he owed it an apology for rising to reply to so able and eloquent a speaker as the right hon. Baronet. At no time should he have felt greater difficulty than at the present, had the arguments of the right hon. Baronet been at all supported by facts. If he could believe that the appeal which the right hon. Baronet had just made to the House was founded upon just and legitimate reasoning, he should have apprehended greater difficulty than he then did in venturing upon the task of replying to it; but following out, as he intended to do, the reasonings of the right hon. Baronet, and comparing those reasonings with the facts —comparing also the description which the right hon. Baronet had given of the Bill with the provisions of the Bill itself— comparing, too, the results which the right hon. Baronet had suggested as likely to arise from their accepting the Bill with what he anticipated as the results of their rejecting it, he must say, that though he was perfectly conscious of his being personally unequal to the right hon. Baronet, he had much less apprehension in venturing to cope with him than he should have had under other circumstances. He must take the liberty of saying, without meaning any disrespect to the right hon. Baronet, that there ran through the whole of his very able and brilliant speech one unbroken chain of sophistry. He intended in the course of the observations which he felt it to be his duty to offer to the House on this occasion to pursue the right hon. Baronet through every link of that chain of sophistry; but in the first instance if hon. Gentlemen would be kind enough to listen to him, he would limit his remarks to a single example of the right hon. Baronet's misrepresentations of the Bill. He would call their attention to that instance for the purpose of showing that the right hon. Baronet had not made a vague assertion that was incapable of proof. The House he was sure would recollect that the right hon. Baronet in speaking of this Bill, had said, that it gave to the town-councils in Ireland greater power than the Municipal Reform Bill gave to the town-councils in England, and had asked this question very significantly, "Why will you allow the town-councils in Ireland to interfere with your institutions of trade and science? Why will you allow them to have a control over the Chambers of Commerce in their respective boroughs, when you have given no such power to your town-councils in England?" Would the House believe that no such power as that which the right hon. Baronet had described was given to the town-councils by this Bill? There was not a single word in the Bill which would enable town-councils to interfere in the way which the right hon. Baronet had stated. The right hon. Baronet had very skilfully taken a recommendation of the Commissioners, which was not adopted in this Bill, and had, for the sake of a little temporary effect, used it in argument, as if it had been a clause in the Bill. After mixing up that which was objectionable and not in the Bill with the actual provisions of the Bill itself, the right hon. Baronet had made an appeal to such of his friends as were acquainted with the institutions of our large commercial towns, and especially to such of them as belonged to the Chamber of Commerce at Manchester, and asked them how they would tolerate any interference with such institutions by any of the newly-elected town-councils, and by such a question had endeavoured to raise an impression in the House, that his Majesty's Government, in proposing this Bill were going to do that which he so strongly condemned. He would take another example, in which the right hon. Baronet had been betrayed into a similar misrepresentation on a point of still greater importance. The right hon. Baronet, finding fault not only with the application of the principle of this Bill, but also with the anticipated exercise of its power, had relied mainly in his argument on the impolitic results which must flow from it, so far as the administration of justice was concerned. The right hon. Baronet had particularly alluded to the appointment of Sheriffs, and the effects which it would produce on the Grand Jury cess. He had mixed up with this the question of judicature, and had then applied it to the 120 towns and boroughs in Ireland, when it was quite evident from the Bill itself, that it only affected eight cities and towns, which were all the cities and towns in Ireland that were entitled to exercise these powers. There were only eight cities and towns Corporate in Ireland in which Corporation Sheriffs existed, and in which they would continue to exist after the passing of this Bill. The argument, therefore, which the right hon. Baronet had constructed upon the appointment of Sheriffs was only applicable to eight cases, if indeed it were applicable at all, and certainly could not, under any circumstances, be applied, as the right hon. Baronet had applied it, to 120 cases in Ireland. The Government might be wrong as to those eight cases, but to raise a suggestion that their error extended beyond those eight cases, was not consistent with that fairness of argument which he had a right to expect from the right hon. Baronet. Again, to show that the right hon. Baronet had not dealt quite candidly when he was speaking so vehemently respecting the effects of this Bill upon the administration of justice—for the preservation of which, in all impartiality, he (the Chancellor of the Exchequer) was ready to go as far as the right hon. Baronet—and if there were any clause in the Bill affecting its impartiality, in God's name let it be amended—he would recall the attention of the House to another portion of the right hon. Baronet's speech. The right hon. Baronet, whilst reminding them that they had in Ireland what he should ever consider the unseemly spectacle of Recorders annually appointed, and Magistrates annually elected to administer justice, had carefully and cautiously abstained from referring to that portion of this Bill which made the Recorders in all Corporate towns the nominees of the Crown, and which gave the Magistrates a permanence in their office, and subjected them to the control of the Crown, instead of leaving them open to the influence of the freemen by whom they were now annually elected. It was not necessary for him to say upon the Motion for reading this Bill a second time, whether the provisions of it went far enough to accomplish that object; but he must say this, that the right hon. Baronet had shown a considerable portion of Parliamentary dexterity, in dwelling with no small degree of prolixity on those parts of the Bill which seemed to make out his arguments, and in excluding from notice those parts of it which answered his arguments, and rendered them perfectly untenable. But the right hon. Baronet had said, and in saying so he had taken the line anticipated by his right hon. and learned Friend near him—the right hon. Baronet had said, that he was in favour of a plan for the total and entire abolition of corporate rights. Anxious as the right hon. Baronet now appeared to be for the promotion of reform in all Municipal Corporations—anxious as the right hon. Baronet had formerly appeared to be to apply the principle, which had worked so well in the boroughs of Scotland to the municipal towns of England, and then to extend the principle which had worked so well in the municipal towns of England to the corporate towns of Ireland—still he should like to know how the right hon. Baronet, and his supporters in and out of that House, would have met His Majesty's Government, had they come down to the House with a proposition for the destruction of all corporate rights of every description. Here he would take the liberty of saying, that there was scarcely one of the arguments of the right hon. Baronet which, if fairly drawn out to its legitimate conclusions, would not be as applicable against the English Municipal Reform Bill as it was against the Irish Municipal Reform Bill. Even those words which had been so much animadverted on, "those Normal schools of peaceful agitation,"—he would not stop to reason upon those words, for he thought that the right hon. Baronet might have dealt with things instead of words—even those words, on which the right hon. Baronet had rung so many changes, were quite as applicable to the English as to the Irish Corporations. If those words were true as to England, let us have a regular and formal notice put on the books by the right hon. Baronet, for the repeal of the English Municipal Reform Bill, and for the avowed reason, that it had led to the establishment of "Normal schools for peaceful agitation." Whilst he claimed for his country, Ireland, the application of the same general principles of legislation which governed England, he would not deny—indeed he never had denied—that in the application of those principles there might be local circumstances which required some difference to be made. The Government evinced their conviction of the justice of that principle in the preparation of the present Bill; for it was so drawn up as to prove that all the principles which they had thought it right to adopt in the English Municipal Reform Bill were not, in their opinion, applicable to the municipal Corporations of Ireland, just as all the principles of the Scotch Burghs Reform Bill were not applicable to the corporate towns of England. He admitted, therefore, that the circumstances under which the English Municipal Reform Bill had established "Normal schools of peaceful agitation" in England might not exist in Ireland, nor lead to the establishment of similar institutions there; but, he would say, that the right hon. Baronet would be the greatest instructor of political agitation, whom, he would not say this country, but the whole world, had ever produced, if, after having given municipal reform to the borough towns of England and Scotland, he were successful in persuading the House to withhold it from the borough towns of Ireland. For his own part, he trusted that the British Legislature would do no such thing. If it did any such thing, it would be inflicting injustice, not on eight nor even on 120 boroughs, but on a whole nation, for which it would be displaying the most wanton and insulting distrust. He felt strongly upon this subject, and, perhaps, he was expressing himself more warmly than he ought upon it: but he recollected the course which he had taken—a course of which he felt proud, and should certainly never repent—when he came forward in that House to propose an amendment on the question of their going into Committee to consider the propriety of a Repeal of the Union. It was more particularly the duty of such Members of that House as had opposed the Motion for a Repeal of the legislative Union—an Union which he believed to have been most conducive and beneficial to the interests of Ireland—to see that they gave to the people of Ireland no just cause of complaint. And could they delude themselves into the notion that they would give no just cause of complaint to that people, if they applied one principle of legislation to them, and another to the people of England? He called upon the House to receive with distrust the arguments employed on the other side; for up to the publication of the Report of the Commissioners on Irish Corporations, if one-tenth part of the imputations had been cast on any one of those Corporations which were now prevalent, and justly prevalent, against them, how would those who made them have been met? They would have been taunted on every occasion with the aptitude to exaggerate all Irish grievances, and no one would have been credulous enough to believe them, except those who, like himself, had met these hornets in their own nests. But the right hon. Baronet was singularly inconsistent in another respect; in one part of his speech he showed great reluctance to admit the analogy of the English Bill, and yet in another he supported his argument by reference to that very analogy. The right hon. Baronet said, that power was given to the Lord-lieutenant to grant charters to the borough towns of Ireland in terms far more general than those employed in the English Bill. Let that point, if it were so, be discussed fairly in the Committee. At present the discussion was irrelevant, and a few words at a future stage might cure the fault of which the right hon. Gentleman complained, supposing that it had any existence. For his own part, he denied that this Bill, or that the effect of this Bill, could be fairly characterized as the right hon. Gentleman had characterized it—as a Bill intended to carry into effect a total transfer of power. The principle of the Bill undoubtedly was to give power to a majority of the people? Whilst on that subject, he might be permitted to ask whether there was a single argument which the right hon. Baronet had used against the constituency which were to elect these new town-councils, which might not be used with equal force and justice against those who exercise the political franchise. The right hon. Baronet had also spoken of the perpetual agitation which this Bill would produce in Ireland, but on that point he would touch more diffusely by-and-by. The right hon. Baronet said, that this Bill would throw every thing into the hands of the Catholic party. The right hon. Baronet had not, however, referred to the working of the 9th Geo. 4th., under which a majority of Protestants had always been chosen to fill certain offices, and were elected to fill them by a large Catholic constituency. Neither had the right hon. Baronet met those cases which his right hon. and learned Friend had quoted, and carried demonstration with them upon that part of the subject. The right hon. Baronet had reserved himself, perhaps wisely, to the last and only real objection to this Bill—namely, that in the present state of numbers between the Catholic and the Protestant, we could not trust the people of Ireland with the power given to them by this Bill. That was the real objection to the measure. Everything else was mere mystification. They had been that night told that the majority of the people of Ireland was Catholic, and that, in consequence, it could not be trusted. If there was any danger to the state from that circumstance, which he emphatically and indignantly denied, it was not to be averted, the evil of it was not to be cured, by refusing to the people of Ireland a well-digested Bill for Municipal Reform. You must trust to higher and better motives; you must avert it by mitigating the rancour of religious rage, by procuring a calm and impartial administration of justice.[*Cheers*] The hon. Gentlemen who had just cheered him so ironically were those very persons who had resisted all the various propositions which he had brought forward for the purpose of securing the due administration of justice in the city of Limerick. Up to the present day, they had resisted all attempts to reform the Corporations; now they came forward to destroy them altogether—to make, as it were, "a massacre of the innocents." They stigmatized the system proposed in this Bill, as interfering with the due administration of justice; and that led him to the consideration of the nature of the former system. The right hon. Baronet had that night abandoned that system altogether; there was not one shred of it for which the right hon. Baronet had offered a single word of excuse. Mayors, aldermen, common-councilmen, burgesses, even the favourite freemen, with the recorders and town-clerks, were at one fell swoop, all given up to the genius of destruction. He was not sorry to accompany the right hon. Baronet to that extent. He would destroy them all, but he would also substitute something in their stead, and that which he would substitute was in perfect accordance with sound constitutional principles—he meant a system of self-government, and the assertion of the principle that those who are locally interested will best conduct local affairs. He knew that the people of Ireland had had their dissensions, and had suffered under many grievances; but, as an Irishman, he did not know, and he never would admit, that his fellow-countrymen were so lost, and so unworthy, as not to be fit to govern themselves. The right hon. Baronet, with that sagacity which was natural to him, felt that his argument, if carried to its full extent, and without the production of some new arrangement, would be quite inapplicable to the condition of Ireland. The right hon. Baronet had therefore produced something like a new system, and having favoured his friends on that side of the House with a wholesale system of destruction, had startled his opponents on this side with something like a new reaction. Yes, the right hon. Baronet, who last year, would not give to the Crown the power of dividing the corporate towns in England into wards, was now ready to appoint a Royal Commission, which was to consolidate and appropriate—yes, appropriate was the word—all the tolls in Ireland which were hereafter to be vested in certain Commissioners appointed by the Crown. Now, if the Ministers had proposed any such thing, if not content with destruction, they had proposed the erection of a regal tyranny in its room, they would have raised against us the cry of having caused the wanton destruction of corporate rights, and would have accused us of wishing to establish a new domination in the country. With resp ct to the observations which the right hon. Baronet made upon the subject of the Magistracy, the right hon. Baronet could not fail to see that the magistrates, under the new Bill, were to hold their offices for life. Now, under the Irish Corporations, how were these officers appointed? Did not the right hon. Baronet know well, that in the Irish Corporations there was every year a fresh election of Magistrates? Did not he know well, that the Magistrate who was one day administering justice between two quarrelling and irritated freemen, might on the next, be seeking the votes of those very freemen! Did not he know well, that the parties qualified to become Magistrates were sometimes elected from a very small number, and that when the farce of an election was gone through, it was gone through in a way not likely to recommend the parties elected to the feelings of their fellow-townsmen. He had always contended, and he always should contend, that the present mode of appointing Corporate Magistrates in Ireland was a source of the greatest discontent and dissatisfaction in that country. Here again he must remark, that the right hon. Baronet had charged an inconsistency, which existed only in his imagination, upon this Bill, "You have passed a Bill in the present Session giving to the Lord-lieutenant the power of establishing a constabulary force—and now in this Bill you are giving the same power to the new Corporations." He wished the House to examine and see how that point stood. What, then, was the power which this Bill gave to these new Corporations? It was the power given in so many words in the provisions of the 9th of George 4th. Parliament gave the municipalities, not the power of appointing an armed police, paid half out of the land and half out of the Consolidated Fund, but also the power of appointing a few watchmen to watch their houses and patrol their streets. The words of the 9th George 4th are simply these:—"It may and shall be lawful to the Commissioners to appoint a sufficient number of able-bodied watchmen and of watch-houses." That was not an unfit power for the municipalities to exercise. Now, what was the 80th clause of that Bill? "That the Watch Committee of every such borough shall on the 10th day of January, the 10th day of April, the 10th day of July, and the 10th day of October in every year, transmit to the Lord-lieutenant of Ireland a Report of the number of men appointed to act as constables or policemen in such borough, and of the description of arms, accoutrements, and clothing, and other necessaries furnished to each man, and of the salaries, wages, and allowances payable to such constables or policemen, and of the number and situation of all station-houses in such borough, and also a copy of all rules, orders, and regulations, which shall from time to time be made by such Watch Committee, or by the Council of such borough, for the regulation and guidance of such constables or policemen." Now he asked, whether that clause had any analogy with the constabulary force? There were no two things, in his opinion, more distinct from each other. Nothing could be more certain than this—that under Local Bills various towns in Ireland had the power of appointing their own watchmen and giving them clothes—and that power had never been held to interfere with the power of the Crown to regulate the constabulary force. For instance, both species of force existed in the city of Limerick, and he had never heard of any interference or collision between the two. The right hon. Baronet seemed to think that the Government was establishing a new principle in its Constabulary Bill, and had told the House, that he was making a large and liberal admission to the Government in granting it that principle. A new principle! No such thing—it was the right hon. Baronet's own principle—it was the principle of his Police Bill. When the right hon. Baronet appointed an armed police force in England, where did he place the control of it? Did he place it in the hands of the local authorities, or in some distinct, and permanent, and responsible authority? The Government had adopted the principle which the right hon. Baronet had sanctioned in his Police Bill, and had placed the control of the armed police in the hands of a permanent officer responsible to them for his conduct. His right hon. and learned Friend had exhausted the subject so far as related to the general misconduct of the Corporate bodies of Ireland; but had anything remained to be supplied on that point, the speech of the right hon. Baronet that evening would have amply supplied the deficiency. He had concluded that very able speech by a very singular argument, which he founded on the supposition that the smaller Corporate bodies in Ireland were created by James 1st solely for political purposes; that they were close boroughs for those political purposes; that the political purposes had now ceased, and that along with them the Corporate bodies should cease altogether. Now, all he would say in reply to that was, that the observations of Sir J. Davis and his right hon. and learned Friend on this subject were more consistent with the facts. If the right hon. Baronet would turn to the 25th of Charles 2nd, he would find rules made for all those Corporate bodies, some in general terms, some in precise terms, none applicable to political purposes, all without exception applicable to Corporate purposes. He called upon the House to consider what the consequence would be of acceding to the suggestion of the right hon. Baronet on this Bill. They were called upon to legislate for an entire people—for all Ireland; and the right hon. Baronet adjured them to say to that entire people, "You, are unworthy of trust and confidence;" and to say it, too, not on general grounds, which would be less dangerous than any other, but on religious grounds—on grounds of religious distinction, the most delicate and the most dangerous of all. He repeated that such was the fact, for this suggestion would never have come from the right hon. Baronet if it had not been that the majority of the people of Ireland were Roman Catholics. Yes, it was from the Roman

Catholics of Ireland, to whom the right hon. Baronet had given political power, that he would withhold the power of managing their own local concerns in their own petty Corporations. Was not that founding a school for political agitation on the one hand, and of religious dissension on the other? If the only object of the right hon. Baronet was to secure the impartial administration of justice, let him go at once with the Government into Committee on the Bill. In the Committee he would deal with any objections which the right hon. Baronet might have to the details candidly and impartially. He was glad that the right hon. Baronet had not opposed the second reading of this Bill; still he must say, that never was there a conclusion so much at variance with its premises as the conclusion of the right hon. Baronet's speech and its exordium, Ought not his premises to have led him to move as an Amendment, that this Bill be read a second time this day six months? Ought he not to have moved as an Amendment, that leave be given to bring in a Bill to abolish all existing Corporations in Ireland, and to create a Commission, to be appointed by the Crown, in which should be vested all corporate property now in existence in Ireland, no matter whether the parties enjoy it by charter or by inheritance, perverting every prescription, forgetting the rights even of their darling freemen; and adopting the new principle as to tolls, which their friends elsewhere compelled us to throw out of the English Municipal Reform Bill? We wanted to go further than we did with regard to tolls in our English Bill; but no, they would not hear of such a proceeding. But now their benevolence to Ireland is so great, so surpassing all former precedent, that they are ready to suppress all those corporate tolls tomorrow. These were to him new doctrines; and, considering the quarter from which they came, singularly wild into the bargain. He, therefore, hoped that the Gentlemen who propounded them would allow him to administer to them those salutary lectures upon caution, and moderation which they had so often, so kindly, and so disinterestedly read to hon. Gentlemen on his side of the House. He hoped that the right hon. Baronet and his friends would employ these new doctrines with great care and caution. For his own part, he was not inclined to quarrel with the principles contained in them; he was ready to admit their correctness. He was well acquainted with the views of the noble Lords and right hon. Gentlemen opposite to him, and he hoped that, for the sake of the institutions of their country, they would moderate their "destructive" rage, and try their principles by the test of experience. One word more and he had done. The right hon. Baronet said, and he was sure that the right hon. Baronet said it with great sincerity, that he was anxious to establish an equality of rights among all classes and denominations of his Majesty's subjects in Ireland, and to allow no religious exclusions whatever to exist. He was sure that no expression could be more sincere than was the expression of that anxiety by the right hon. Baronet. The right hon. Baronet, from his long connexion with Ireland, had arrived at the certain knowledge, that in those religious exclusions was the source of all the evils which desolated that beautiful but distracted country; but having that certain knowledge, was the right hon. Baronet logical in his mode of applying it? He had called upon the House to withhold a good from the people of Ireland on grounds purely religious. The House was called upon to withhold this Bill from the people of Ireland because they were Roman Catholics. The right hon. Baronet had not, indeed, said so in express terms—he was too prudent and cautious for that; but it was the only inference which could be deduced from his speech. At any rate that had been asserted in publications of great influence and authority, and which were supposed to represent the opinions of the right hon. Baronet and his immediate friends, that the Protestant Corporations of Ireland were necessary to the safety of the Protestant church, and to the maintenance of British connexion. The right hon. Baronet was prepared not only to give up, but also to destroy these ancient bulwarks —he had no hesitation on the point—in his (Sir R. Peel's) opinion the Protestant church and the British connexion could do well without them. "The Protestants of Ireland," said the same influential authorities to which he had just alluded, "are the safeguards of British connexion with that country—the Roman Catholics have always been, and still are, adverse to it." ["*Hear, hear.*"] That cheer gave him just the admission he wanted to obtain, and he now told the right hon. Baronet that if he acted on that principle he converted a fiction into a reality. If it were true that the Roman Catholics were really averse from the connexion subsisting between the two countries, that was a perilous condition of things, but he discredited the idea, and, because he disbelieved it—because he thought the connexion would be strengthened by legislating for both countries, on fair and equal principles —because he was convinced that when the Roman Catholic was treated as well as the Protestant—on these grounds he pressed the present measure, and said that no sectarian differences were to be regarded in the matter. But by acting differently, by sanctioning by a vote of the House the admission of this supposed hatred of British connexion among the bulk of the people of Ireland, they created the evil they affected to deplore. He did not say that some risk must not be run in this as in every great change—some risk was incurred by the change in the Municipal Corporations in England, and by the introduction of the Reform Bill; but if there existed great evils, there must also be great remedies, and from the application of such remedies in cases of great difficulty, some danger would arise. However, not one-tenth of the danger, he was prepared to contend, could arise from this measure which had been incurred by the Irish Reform Bill; and they had carried that. The Bill was supported by many Gentlemen who now sat on the opposite side of the House. After giving those arms to the Irish people which the Reform Bill furnished, they were now, in objecting to this measure, merely taking a petty mode of exasperating the power they themselves had created, and of fermenting, or rather let him say reproducing agitation under an assumed dread of agitation. He rejoiced that the Bill was now before the House—he rejoiced in the discussion that had already taken place to-night, and in the admission of the right hon. Baronet that he was unprepared to oppose the second reading of the Bill, founded as the measure was on the principle of the English Municipal Reform Act. In that admission they of the majority had a justification of their vote on the Address; as to those Gentlemen who had divided against Ministers on that occasion, and who, perchance, on that account were not so ready to divide against them to-night, those Gentlemen had to reconcile their affirmation of a different principle on a former occasion, with their assent to the principle of this Bill, by agreeing to its second reading. He declared his opinion that they were bound to see justice done to Ireland—to apply just and equal principles there as here. Modify them if you would according to the local circumstances of the country; but do not degrade men by showing them at one side of the Channel, two parts of this great United Kingdom worthy of trust and confidence, and pointing out on the other side of the Channel another part of the kingdom where you told the people that trust and confidence must be withheld from them.

Lord *Stanley:* Sir, I have been so pointedly referred to, both by the right hon. and learned Gentleman who opened this debate, and also by my right hon. Friend (the Chancellor of the Exchequer) that I feel I should not be justified in abstaining from saying a few words, though I feel, and am satisfied the House will feel with me, that this is not the proper opportunity for entering into a full discussion in the relative merits of the two rival plans submitted for the consideration of this House. [*A laugh from the Ministerial Benches.*] I know not, Sir, why what I have said should excite the merriment of Gentlemen opposite. In that expression I made use of "rival plans," I think I am fully justified. They are rival plans, but for effecting one object, that object being the attainment of great good to Ireland, by doing away with the system of Corporation corruption and partiality which prevails there, and substituting a better and more efficient system in its place. To accomplish this object, in which we both concur, two plans are before the House, and the public must decide, and the House must decide, which of those two plans is likely to prove most effectual in accomplishing this object. Now, my right hon. Friend has said, he does not understand how we, who supported the Irish Parliamentary Reform Bill can possibly withhold our entire assent from a measure, the principles or the main features, at least, of which, are identical with those of that Bill. Now, Sir, I was a cheerful and cordial supporter of the Irish Parliamentary Reform Bill, I was as anxious as any man that Ireland should have full and impartial justice. I was as anxious as any man that Ireland should have an opportunity afforded her truly and fully to express her political opinions in the United Legislature of the empire. But, Sir, I must yet have some little time afforded to me before I can be prepared to admit that in Ireland we are to run the risk which my right hon. Friend would have us incur, of making every municipality an arena for political discussion and party animosity, or that it is not desirable to keep separate from the proper application of municipal funds, and the proper administration of municipal justice, those political feelings which, from the state of religious and political parties in that country, are, if this Bill be passed into a law, sure to be mixed up with them. My right hon. Friend has protested against religious considerations interfering with this question. Now, Sir, I don't hesitate to say, that religious grounds do influence me in the view I have taken. And why, Sir, do they influence me? Because, unfortunately, all the great political questions in Ireland, at the present moment, are so mixed up with religious differences that it is impossible to separate political and religious questions. I do not wish to deprive one single Catholic of any one single right, much less do I wish to secure to any one single Protestant the possession of an abuse, and too generally abuse follows the possession of any exclusive or offensive privilege. But still I say, I must look to the state of society which prevails in Ireland—a state of society in which, be it remembered, the lowest and least influential class of the population are also in an infinite degree the most powerful in point of numerical strength, and who profess a religion different from that of the minority. This, Sir, is a fact that I cannot separate from the consideration of this question; nor can I avoid seeing that on all those local and political questions which will arise under this Bill religious difference must necessarily be brought to bear. Sir, it is with this view that I look to the state of Ireland, and I ask myself whether, under the circumstances in which that country is placed, the same measure which may be found efficient in England is likely to prove equally efficient and free from rejection in Ireland? This, Sir, is the objection that we make; nor do I perceive that the course we have taken upon this subject is in the least degree inconsistent with the most anxious wish, the most resolute determination, to afford the fullest and most complete justice to every class in Ireland, and the most complete and perfect removal of every abuse which there prevails. My right hon. Friend says, it is the same thing if on account of religious difference we withhold a great good or inflict a great evil; but my right hon. Friend here begs the whole question. It yet remains to be proved, whether the system which he proposes will be productive of a great good, whether it will tend to the more impartial administration of justice, whether it will tend to promote peace and harmony, mitigate religious rancour, soothe party differences, and extinguish religious and local animosities. All this yet remains to be seen. I will readily admit to my right hon. Friend, that we have no more right to withhold a great good than to inflict a great evil. But which is the good or which is the evil is the point on which the whole question hangs? This is the question we have yet to discuss. It is yet to be decided, whether by the plan that you now propose to us you will confer a benefit on Ireland, or whether, misled by a fancied analogy, you will not bestow upon her a curse instead of a blessing. The hon. and learned Gentleman opposite has quoted me as an authority in his opening speech. I am not going to enter into a discussion of the whole question. What was the object for which a certain number of Corporations were originally established is a matter of historical curiosity, but I do not think it very material for us to inquire into it. The question we want solved is, what has been the practical working of these Corporations, how do they work now, what evils do they occasion, what abuses exist in them, how can those abuses be best terminated, and how can those evils be best remedied? My right hon. Friend says, that on this question, as on every other, we are bound in justice to deal with Ireland on the footing of precisely the same principles which we apply to England. How, says my right hon. Friend, can you consent to cast such a stigma upon Ireland as to say to her, England and Scotland, those two great portions of the empire on this side of the Channel, are intrusted with the management of their own affairs, but you, the people of Ireland, are unfit for self-government, and we will not in this respect put you on a footing of equality with us.

My right hon. Friend lays down, he says, the broad principle of self-government in their own affairs as a principle which ought to be applied to Ireland, and which Ireland is entitled to claim at our hands. Sir, I don't think my right hon. Friend always thought thus. I recollect some language of my right hon. Friend, which seems to bear out my own impressions and views, and I am obliged to my right hon. Friend that he has been good enough himself to direct my attention to the very speech in which occurs that passage I am about to read. I am quite sure that in what I am going to say I cannot justly be considered as endeavouring to cast any stigma, or say any thing offensive to the people of Ireland, as I am going to read only my right hon. Friend's own words: they bear directly on this question of self-government, and occur in his very able and powerful speech on the discussion of the motion for a Repeal of the Union, and you will perceive how completely he justifies the reason which I have given for not approving of the measure now brought forward. The noble Lord then read the extract nearly as follows:—" Sir, constitutional liberty I am ready to welcome, but I reject the idol of democratic liberty which the hon. and learned Member would place upon our altar. We are told truly in the last words of Grattan, that the people of this country should not look to a democratic Government, for they are not fit for it. I do not wish to speak any disparagement of my own countrymen, but from what you have seen of the people of Ireland, will you surrender them to the tender mercies—must I use the word—of a domestic Legislature? Will you surrender the people of that country to the tender mercies of conflicting factions? Do you not know that there must inevitably be such a conflict and collision of opinion as must produce a sanguinary civil war? I will ask the hon. and learned Gentleman who has raised the standard of Repeal here, does he think, because he has a certain physical force in certain districts in Ireland ready to support it, that he will compel the sturdy spirits of the north to submit without a struggle? Can he doubt that a struggle would immediately commence between them, but when it would close who would be bold enough to say? Thus what was begun in folly would end in crime, and the ultimate consequence would be the entire destruction of the country."* Now this is the paragraph in which my right hon. Friend himself draws a distinction between the principles by which Ireland and England should be ruled, in consequence of the difference between the state of parties in these two countries—the violence of the conflicting parties in Ireland making them, according to my right hon. Friend's own words, unfit to be intrusted with a domestic Legislature. The consequence would be what my right hon. Friend has described so skilfully: the violence of party faction would be increased, the minority would not submit to the majority without a struggle—a struggle which would tear out the very vitals of that country, and bring upon Ireland all the horrors of civil war. I ask my right hon. Friend to extend his view a little further, and apply his own principle in the present instance. I ask him, whether if this be the state of things in Ireland—whether if one party be numerically infinitely superior to the other, but (of course I speak only of the bulk of the population) infinitely lower in the scale of society, whilst the minority is greatly superior to the majority in wealth and intelligence, and those parties are to be brought year after year, and several times a year, into collision with each other upon a question of domestic and exciting interest from which it is impossible altogether to exclude the interference of religious feeling—I ask my right hon. Friend whether he does not risk the occurrence of disputes and dissensions which will tend to anything but to promote that harmony, that peace, that kindly feeling which, it is the avowed object of the Bill, according to its preamble, to promote, and which, perhaps, under similar circumstances to those which exist in England it might possibly effect. I am not going to discuss at any length the principles of this Bill. For, as far as I am aware, there is no intention whatever to oppose this Bill being read a second time. My right hon. Friend seems to consider that the assent of those who supported the amendment on the Address to the second reading of this Bill justifies the vote which he and his Friends gave on that occasion, and that the course which the right hon. Baronet proposes now to take, and in which I fully concur, is an inconsistent one. I deny that it is inconsistent. I did object, and I should object again, to be tied down in the Address to the adoption of certain principles with which we were not then made acquainted. We were told that we were to follow up in Ireland the principles of the Municipal Reform Bill for England to their fullest extent, and my right hon. Friend says, because we refused to assent to that till we knew how they were to be applied, and moved an amendment, we ought now, instead of assenting to the second reading, to have moved for leave to bring in our own Bill by way of amendment. Why, in the first place, I believe that all Parliamentary forms are at variance with such a mode of proceeding. In the next place I for one was prepared to go along with my right hon. Friend in some of the minor principles of the Bill, and we propose, therefore, merely to engraft on it such provisions as would make it consistent with our own views. What are the principles of the Bill? The first great principle of the Bill, in which I entirely concur, is—let hon. Gentlemen opposite try to disguise it as they may—the entire abolition of the existing Corporations. Having thus cleared the way, the Bill proceeds upon other principles for the purpose of giving effect to the plan by which his Majesty's Government intend in future to prevent the evils which have accrued under the old system. It introduces the principle of election in all the towns, and it contains many other provisions from which I do not expect we should derive that beneficial effect which my right hon. Friend anticipates from them. I have considered the subject, and I am prepared to support a different system. Like my right hon. Friend on my left, I would not leave a single evil untouched, a single abuse unremedied, nor a single ground of justifiable complaint to any hon. Members; but if hon. Gentlemen opposite can point out any such defects I shall be ready to enter into the discussion of that question with them, not with a view of carrying any of my own points, but with an honest and sincere desire to remedy and provide against every possible abuse. So far as the destruction of the existing Corporations go, I am, if hon. Gentlemen opposite like the term, a Destructive; but I am no more a destructive of them than the right hon. and learned Gentleman or my right hon. Friend. So far I am prepared to go with the present Bill, but I am not prepared to go further. A different class of society in Ireland to that which exists in England perfectly justifies a departure from the course adopted in relation to this country; and I think, therefore, that instead of proceeding implicitly in the same track we should endeavour to prepare such a Bill for the reform of the Irish Corporations as may yield the greatest amount of good with the least mixture of evil. Such is, I think, the system proposed by the right hon. Baronet. That system will give you a pure administration of justice—a complete control over the Corporate funds of the various Corporations—such a control as should prevent the confiscation or misappropriation to other purposes than those to which they are legally applicable, a system which will place the Corporations under the superintendance of those whom we can trust to discharge uprightly and impartially the duties confided to them. They upon whom the administration of justice devolves incur a vast responsibility, and upon whom can that responsibility more properly rest than on the Lord Lieutenant? Under the system which my right hon. Friend supports, the power which is given to the municipal bodies is given to them to exercise, either for good or evil, as they see most fit; but, according to the other plan, we can give to these municipal functionaries just power enough, and no more, than is necessary to enable them to conduct to the best advantage the affairs of the municipality, without the possibility of mixing up political subjects with those to which the attention of a Municipal Government ought to be solely confined. When we come to discuss the two plans, however, it will be quite time enough to enter into details. I need not trouble the House upon that subject now, I only wish to express my entire concurrence in getting rid of every feature of the existing Corporation system in Ireland; but it is my conviction that the plan adopted in England cannot, consistently with the existing state of parties in Ireland, be applied with advantage to that country, and were we so to apply it I believe that under the cover of a fancied analogy, we should inflict a curse instead of bestowing a blessing on that country. Sir, I am most anxious that Ireland should have perfect equality of treatment with England, but it is because the same course would not insure her equal benefits that I support a different plan of Corporation Reform, a plan which will give to Ireland what the one now proposed will not, a pure and impartial administration of justice and of the Corporation funds for the benefit of all its members—a plan which will place the Catholic in every respect upon a perfect level and equality of station and advantage with the Protestant. This, Sir, is the plan to which I will give my best support; but I am determined as far as I am able not to allow any plan to pass into a law which shall give to one party an undue ascendancy over the other, or interfere with the just and impartial administration of the laws.

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* See Hansard, vol. xxii. p. 1281-1282.

Mr. *Sheil* said, that the noble Lord had stated that he would not on that occasion discuss the principle of the Bill. Why did he abstain from doing so? What more apt opportunity could be presented and from what motive did he reserve the display of his faculties for another night; Surely the principle of the Bill should be discussed on the second reading, and the details in the Committee. Did the noble Lord intend to invert the natural order of discussion, and debate the details before the principle, and the principle after the details? His right hon. Leader, the Member for Tamworth, had not taken that course, for he had not only gone into the principle of the Bill, but struck directly at its foundation.

Lord *Stanley*: It may save the learned Gentleman trouble, if I now apprise him that it is intended to debate, and to divide, on a subsequent occasion, on going into the Committee.

Mr. *Sheil* thanked the noble Lord for his kindness in intimating the result of his consultation with his new colleagues on the other side of the House. The noble Lord had boldly stated that he put the question on religious grounds. The right hon. Member for Tamworth had not said so much: with his habitual caution and characteristic skill, he had only dealt in insinuations, while the noble Lord, who had not made any proficiency in prudence, even with the aid of so valuable an instructor as the right hon. the Member for Tamworth, with a great deal of frankness, and he hoped with not a little honesty, at once let the truth escape from him, and declared that he would deny to Ireland the same municipal institutions as had been conferred upon England, from sectarian, or, if he pleased so to call them, from religious considerations. How did this accord with the passage in the speech of the noble (but somewhat incongruous) Lord, in 1833, and which the Attorney-General had referred to? In that speech, so replete with lofty sentiments, and so much in contrast with the noble Lord's existing position, the noble Lord had declared that all distinctions between Catholic and Protestant ought, by the Emancipation Act, to be buried in everlasting oblivion; yet he now resuscitates and evokes them, when to his purposes they may be made subservient. But although the noble Lord withheld from those whom he still persevered in calling his noble Friends, the benefit of his support, he could not take away from them the advantage of his authority. He had abandoned his party, but he could not subvert his former principles from the solid basis on which they rested. He had gone, indeed, to the enemy's camp, but he had left his arms behind. The noble Lord could not do the same detriment to his argument as to his character, nor deal with his logic as it had unhappily pleased him to deal with his reputation. The abuses of Irish Corporations were admitted. But when was the discovery of these abuses first made? When did this fit of virtue seize the Conservatives, by whom they were now for the first time deplored? Did they not know that property was plundered, that justice was vitiated to its source, that to the foulest political instrumentality Corporations had been turned. When the House compared the former connivance of the Tory party, and their protestations of newly and suddenly and most unexpectedly excited horror at the deformities with which they were so familiar, it was not unreasonable to conjecture that they abandoned Corporations because they could no longer serve their turn—that they would abolish all that was sound, because they could not preserve what was rotten, and that they would fell those institutions to the earth, not because they had yielded poison, but because they might be made to bear salutary fruit. The right hon. Member for Tamworth was, indeed, afraid that these Corporations should become, as the Member for Dublin had said, Normal schools of agitation; but the right hon. Baronet had never objected to them when they were the polytechnic schools in which Conservatism brought up its pupils. He (Mr. Sheil) joined most cordially in the declaration made by the Attorney-General, when he protested that he would never have proposed this Bill if he thought it would lead to the ascendancy of any party. He was convinced that if the country were well governed, the religious discords that were the bane of Ireland would die away. Even as it was, the Roman Catholics, in the exercise of whatever power they possessed, never consulted their religious prejudices or predilections. His colleague in the second county of Ireland was an Englishman and a Protestant, with a large Cromwellian estate, of which he made the best and noblest use. In the adjoining county of Waterford, two Protestants, Sir R. Musgrave and Mr. Stuart, were returned by the Roman Catholic electors. The same observation would apply to several other counties. The religious animosities of Ireland were fomented by the law and the institutions of the country, with whose reform they would soon expire. Restore Ireland to a rational condition, and every individual would soon lose all unnatural power, while, beyond a doubt, as in every other country, property would resume its rational influence. But with what face did the Conservatives talk of religious animosities? By whom are they most sedulously fostered and maintained? Look at the public journals in their interest, and at the emissaries of theological rancour whom they send, as incendiaries, to propagate the worst feelings, and inculcate detestation through the country. Are not our clergy designated as surpliced ruffians? are not their followers represented as banded assassins? and are not the Representatives of the Irish people held up as guilty men, basely foresworn upon the word of the living God? And when such language as this is applied to us, to our country, and to our religion, can it be wondered at, there is a feeling of inevitable resentment produced in the nation's heart? And what estimate ought to be formed of those who first raise this religious excitement, this miserable "No-Popery" howl, and, then avail themselves of it, for the purpose of party; and, in order to deprive us of the benefit of British institutions, appeal to the passions which they have themselves excited, on which they blow and fan, and whose flame by the incendiary spirit of a factious theology, its fatal aliment, is unremittingly supplied? Sir, we are entitled to British institutions, and have them we must and will. What is the plan of the Conservatives? to transfer the nomination of Sheriffs, of Magistrates, of police, the management of property, the administration of local justice to the Crown. This in England they did not dare to propose; this, in Ireland, please God and the people, they shall never carry. No; we must have Municipal, as we have secured Parliamentary Reform. By the same policy both countries must be governed? and if Corporations in England have been submitted to popular control, in the true sense of the word, "popular" Corporations must in Ireland be submitted. Do you think that we will, or that we ought, to acquiesce in any measure short of complete equality with England? Don't you know, that if you treat us as a province and a colony, and not as part and parcel of yourselves—if you refuse us what we call justice, and what your hearts must tell you that as justice we rightly designate, a perilous question will be revived, and its discussion will inevitably be resuscitated. But if you carry the great international compact into real, substantial, practical effect; if you abolish all distinctions, natural and religious; if you give us the same laws, the same rights, the same privileges, the same institutions? if you place us on a noble level, and establish a glorious parity between us; if you fill our hearts with the glorious consciousness of British citizenship, and make us feel that we are even as you are—then you will not only have refuted the argument for Repeal, but you will have annihilated its pretence; you will not only have removed the motive, but eradicated the desire; and that you may act this wise part is the prayer of one who holds at heart the interest and peace of his country, and the glory of that great empire of which it forms so essential, and of which I trust that, ere long, it will prove a prosperous part.

Colonel *Conolly* said, that the bad spirit which prevailed in Ireland had not its origin in any jealousy which the Protestants entertained of the Roman Catholics. It was created by the hon. and learned Member who had just addressed the House, and his associates, who went about the country inflaming the passions of the people in order to serve their own interested purposes. The hon. and learned Member and his associates were constantly declaiming in favour of what they called popular rights, but their real object was the subversion of the Protestant religion, and the dismemberment of the empire. He (Colonel Conolly) felt no jealousy of Roman Catholics—God forbid that he should entertain such a feeling. He lived upon as good terms with his Roman Catholic neighbours as it was possible for the hon. and learned Gentleman to do. The hon. and learned member in that House dealt largely in professions of philanthropy and kindly feeling, but in other places there was no tongue which knew better than his how to give utterance to the most bitter spirit of acrimony. He (Colonel Conolly) would prove himself to be the friend of peace, by supporting and endeavouring to carry into effect the suggestions of the great statesman who sat below him; but in none of their acts did the hon. and learned gentleman, and those with whom he associated, consult the peace, welfare, or prosperity of Ireland; in no case did the hon. and learned Member put in practice those principles of philanthropy which he professed to admire, and so eloquently expounded. Such professions were made only for the purpose of courting popular favour, and exciting the popular mind in Ireland. Let not hon. Members suppose that the hon. and learned Member played the same game in Ireland which he pretended to play in that House. In that House he indulged his auditors with classical allusion and brilliant, but laboured antithesis, and above all he deprecated any thing like acrimony. But it must not be supposed that there were no acrimonious speeches made in Tipperary—there the hon. and learned Member was not the apostle of harmony and love. Such conduct as the hon. and learned Gentleman exhibited was a gross and scandalous deception. [*Order! Order!*]

The *Speaker* said, the hon. and gallant Member must be aware that it was disorderly to attribute deception to a Member of that House.

Colonel *Conolly* apologised to the House, but must say, in his own justification, that the passions of the lower orders of his countrymen were worked upon in a way which it was horrifying to witness. He would now beg to correct a mis-statement which the Attorney-General for Ireland had made with respect to the Corporation of Naas. He had been requested by the Corporation of that town, in the vicinity of which he resided, to state that no bond or any other document had ever been executed for the purpose of transferring property of the Corporation to the patron of that borough. Some years ago it was proposed to convey the corporate property to Lord Mayo, in trust, but that design was never executed. A more honourable and high-minded man than Lord Mayo did not exist, and to those who knew his Lordship it was unnecessary to say that he was incapable of plundering a Corporation. He had in his pocket a letter from his Lordship stating that he was anxious that a general account of the funds of the Corporation, including all disbursements, from the period of the Union down to the present day, should be exhibited. The noble Lord required no defence from him, but he must do his Lordship the justice to say, that owing to his exertions the funds of the Corporation had been augmented nearly threefold. With respect to the question before the House, he was proud to follow in the wake of those who went before him in the debate that evening. He was exceedingly happy to find the distinction between England and Ireland, so ably and convincingly described by two statesmen of such eminence and power. As far as the opinion of an humble individual residing in the country, and offering that opinion because founded on his own experience—he would venture to say that he entirely concurred in the convincing, eloquent, and statesmanlike views which had been expressed by the right hon. Baronet, and the noble Lord below him. He was likewise opposed to that part of the Bill which admitted the granting of Corporations to small towns, and for this reason, that as hardly any of them would have a sufficiency of funds for the support of the Corporation, and as the election of the councillors and aldermen would create a kind of local agitation in Ireland, they would thereby be only keeping up a constant excitement in those towns, without the least benefit to the public. He also most heartily and above all concurred in the suggestions of the right hon. Baronet which were applied to the prevention of violence, fraud, perjury, and every thing horrifying to the human mind, in the operation of this Bill, because he deemed the adoption of those suggestions necessary for the preservation of the public peace in Ireland. The right hon. Gentleman had also shown that the population of many of those towns named in the Bill, was not sufficiently wealthy or numerous to entitle them to a Corporation. The very nature of the franchise proved that they were not. He, however, hoped when the details of the measure came to be discussed—that the suggestions which fell from the right hon. Baronet would not be disregarded, and that the peace of Ireland would not be sacrificed by the introduction of a system such as the Bill in its present shape would go to establish.

Lord *John Russell:* I am so perfectly satisfied with the speeches addressed to the House by my right hon. Friends, and they have so fully conveyed my opinions, that I do not consider it necessary to state my reasons for assenting to this plan of reform. I shall only just observe, that if the amendment of the right hon. Baronet be carried, it will be incumbent on us to engage the services of Sir Charles Wetherell, in order to be heard at the Bar of the House against so gross an invasion of rights and property as that which the right hon. Baronet contemplates. So far does the astounding proposition of the right hon. Gentleman exceed any thing ever proposed by us in the way of reform. I shall now state the course proposed to be taken by my right hon. Friend. We propose that the Bill should be read a second time to-night, and go into Committee on Monday next, and I wish to know whether the right hon. Gentleman will embody his proposition in an instruction to the Committee, or whether he will move an amendment in the Committee?

Sir *Robert Peel:* I will state at once that I am desirous to give the House an opportunity of deciding between the two plans submitted to it; and with that view I shall simply move an instruction to the Committee. If the House should negative that, I shall not give the noble Lord much trouble with respect to the details. I will not vote for the second reading of the Bill, though I assent to one of its principles—that on which the extinction of existing abuses is promised, because I totally dissent from the other principle of the Bill; and it appears to me that the best course to ascertain the sense of the House as to the comparative merits of the two measures in this respect, is to move an instruction to the Committee on Monday for the substitution of my proposition in the place of that of the right hon. Gentleman opposite.

The Bill was read a second time.

HOUSE OF LORDS,

Tuesday, March 1, 1836.

MINUTES.] Bills. Read a first time:—Ecclesiastical Leases.—Read a third time:—Dean Forest; Exchequer Bills; Transfer of Aids.

Petitions presented. By Lord ELLENBOROUGH, from Gravesend and Dartford, for an Adjustment of Tithes.—By the same, the Earl of WESTMORELAND, and the Bishop of LLANDAFF, from several Places,—against the Ecclesiastical Courts' Consolidation Bill.—By the Bishop of GLOUCESTER, from Cheltenham, for a Clause in all Railway Bills to prevent all Traffic on Sundays.—By the Marquess of LANSDOWNE, from Amesbury, for Additional Time in the Repayment of the Sums borrowed by Parishes for the building of Workhouses; from Wareham, for the Better Adjusting of County Rates.—By the Duke of RICHMOND, from Westbourn and Steyning, for Amending the New Poor-Law Act.—By Lord HOLLAND, from the Protestant Dissenters in the British Colonies in America, for Relief.

BRIGHTON MAGISTRATES.] Lord *Teynham* rose to present a Petition from Brighton, which he thought was well worthy of their Lordships' attention. The petition, which was signed by 300 respectable tradespeople of Brighton, complained generally of the administration of justice in that town, and particularly of an order some time since issued by the Bench of Magistrates, by which offenders who were brought before them were denied the advantage of the attendance of an attorney, or any professional man, to assist them in repelling the charge that might be brought against them. The Petitioners stated, that in cases of imputed felony, it had been customary with the Bench at Brighton to permit the attendance of a solicitor, or some experienced person, on the part of the accused; but that of late the chairman of Petty Sessions, Sir David Scott, had issued an order to the effect, that hereafter no person should be allowed to attend for any party accused in any case whatsoever, except under special circumstances, and by special permission of the Magistrates. This being the case, the petitioners prayed their Lordships, when the Prisoners' Counsel Bill should come before them, to insert a clause which should render it compulsory on Magistrates to allow parties accused before them the benefit of professional skill and experience, if they are disposed to employ them. There was one case of recent occurrence in the town, which had created a great sensation there, and which the petitioners had requested him to state to their Lordships. It was the case of a woman, named Mary Ann Booth, who was accused before the Magistrates by her employer, a chemist at Brighton, of a felony. When the case came on for hearing, the woman's attorney, whom she had employed to conduct her case, was silenced by the Magistrates; and, upon the prosecutor's evidence, added to some information which the Magistrates seemed to have obtained out of court, the woman was fully committed to Lewes gaol, upon the charge of felony. Subsequently, the

Grand Jury ignored the bill; but the woman had been imprisoned for some time, and her character, of course, had suffered not only from that circumstance, but from the nature of the charge which had been brought against her. For this she had no redress whatever. She had written to the noble Duke (Richmond), the Lord-Lieutenant of the county, upon the subject, and she had also petitioned his Majesty and the noble Lord, the Secretary of State; but as far as he could learn, no satisfactory answer had as yet been given to those who interested themselves about the very important subject. It was not his intention to cast any imputation upon the Brighton Magistrates, but it was plain, from the facts he had stated, that the system upon which they acted required alteration. He had only further to observe, that the Magistrates were in the habit, as he was informed, of directing indictments to be prepared before the Grand Jury had found true bills. This he believed to be contrary to the law of England. He had also to observe, that although the Bill in the instance to which he had particularly alluded, had been ignored, the Magistrates allowed the fees of counsel for the prosecution, and made an order for the payment of 7*l.* 13*s.* out of the county rates.

The Duke of *Richmond* wished to say a few words upon the subject of the petition which the noble Lord had just presented, and also upon the remarks which the noble Lord had made upon the case of Mary Ann Booth, which was not contained in the petition. In the first place, the noble Lord stated, that the feeling of the town was embodied in this petition, which he stated, further, was signed by 300 persons. The population of Brighton amounted to 40,000 souls. This petition, then, signed by 300, was, of course, to be taken as expressive of the unanimous feeling of the town. He must be allowed, however, to state, that, as far as he had listened to the petition, it appeared to him to contain no charges whatever against the Magistrates. The petitioners did not deny that the Magistrates of Brighton, like every other judicial body in the kingdom, had the power to frame laws for the maintenance of order and decorum in the courts over which they presided. If that point were disputed he (the Duke of Richmond) could quote many cases in which such a power had been confirmed by decisions of the Court of King's Bench. As far as the petition was concerned, therefore, there appeared to be no specific charge against the Magistrates. He came next to the case referred to by the noble Lord. Mary Ann Booth was charged with a felony, and was attended before the magistrates by an attorney. In the course of the investigation, this gentleman behaved with considerable impertinence and insolence to the magistrates, who, at length, were compelled to say to him, " if you do not behave in a more becoming manner, we will not allow you to plead." In consequence of the treatment which the Magistrates received on this occasion, they made an order, which he would read to their Lordships, and which he was sure their Lordships would at once perceive was different from that set forth in the petition:—" Resolved, that, in future, no attorney, unless especially permitted, shall appear as an advocate for any party accused before us; but it is not intended by this resolution to prevent any attorney from being present and taking notes, nor from generally making suggestions or giving advice to his client." These were the terms of the order; yet the noble Lord asserted that the Magistrates positively prohibited the attendance of attorneys except in special cases, under special circumstances, and by special permission. The only object of the Magistrates in drawing up the order was, to enforce the respect necessary to be observed to the Bench; and he had the authority of the clerk to the Magistrates for stating, that in no one instance, during the twenty years' experience of that officer, either before or after passing the resolution in question, had he ever known a single case in which the Magistrates had refused an attorney to appear before them, except in the case of this one man, who was employed by Mary Ann Booth, and whose conduct to the Bench was indecorous and intolerable. If there were any real ground of complaint against the Magistrates, was it probable that out of so populous a town a petition should be sent up to be presented to that House, containing no more than 300 signatures? He knew no gentlemen who devoted more time or more attention to the public service than the Magistrates of Brighton. Every one who knew that town would be aware that its population was of a very fluctuating character, and, consequently, requiring at all times great vigilance on the part of the Magistracy and police. The facility of communication between London and Brighton had rendered the character of the population very similar in both; and this similarity of late years had been greatly increased; for whenever the police of London made the neighbourhood here a little too hot for certain celebrated metropolitan characters, these distinguished gentry immediately determined on taking the advantage of a change of air, and usually sought the sea-shore at Brighton as the place best calculated to suit their particular cases. The Magistrates at Brighton held Petty Sessions twice a week. Did they keep a close court? On the contrary, it was notorious to every person who had ever been at Brighton, or who ever read a Brighton newspaper, that two or three reporters for different publications were invariably present. The wholesome control of public opinion was always upon the Magistrates of Brighton. It was plain that the order complained of was intended to apply only to the individual who had misbehaved himself, and was not intended to prevent the attendance of attorneys in ordinary cases. He now came to the case of Mary Ann Booth. It was true, as the noble Lord had stated, that Mary Ann Booth had addressed a letter to him (the Duke of Richmond), to which he replied that he knew not what power the Lord-Lieutenant of the county had to control the decisions of the Magistracy; adding, however, that if the Magistrate misconducted himself, if he illegally committed any person to gaol, or exhibited on the Bench anything of partiality or favour, the ordinary courts of law afforded immediate means of redress. If this woman had any real ground of complaint against the Magistrates of Brighton, the proper mode of proceeding, instead of addressing him, would have been to direct her attorney to commence proceedings in the Court of King's Bench. It might be said that she had not the means to adopt such a course; but he (the Duke of Richmond) knew enough of the people of Sussex to feel convinced, that where a woman was injured, and sought redress, she would not long be allowed to want the means of obtaining it. It was true also, that petitions upon the subject had been sent to his Majesty and to the Secretary of State. The complaint was, that the woman was sent to gaol illegally. In reply to that charge, he would simply read the deposition of the prosecutor in the case, who was a chemist named Colvil, residing in Castle-square, Brighton, and being the owner of a lodging-house in a different part of the town, in which he employed Mary Ann Booth, as a servant, at the rate of 7*s.* a week wages, and an allowance of five per cent. on the rent of the lodgings whenever they were let. Mr. Colvil complained to the Magistrates that his servant, Mary Ann Booth, had robbed him; and in his deposition he stated, that after giving the woman repeated notices to leave the house, which she as repeatedly neglected to do, he at length went to the house in person, and on looking over the inventory with the accused, he found that a number of sheets, silver spoons, and other articles, were missing. Booth denied any knowledge of them, but subsequently, in searching the house in Preston-street, to which she had retired on quitting the prosecutor's premises, a number of spoons, sheets, and other articles, having the prosecutor's name upon them, were discovered, and a number of duplicates were also found in Booth's possession for articles which the pawnbroker produced, and which the prosecutor proved to be his. Booth, when these discoveries were made, at once admitted that the articles found upon her, and those which she had placed in the hands of the pawnbroker, were the property of the prosecutor. This was the deposition of the prosecutor, and he (the Duke of Richmond) would venture to say that no stronger or plainer case of felony was ever made out. With such a deposition before him, added to the prisoner's own admission, the Magistrate had no other alternative than to commit her to gaol. But then the noble Lord said, that the bill was thrown out by the Grand Jury. He (the Duke of Richmond) did not pretend to know how that had happened; bills were often thrown out by Grand Juries. It was possible that the prosecutor did not make the same statement before the Grand Jury that he had done before the Magistrates; but he (the Duke of Richmond) would ask whether any Magistrates, having such facts as he had described sworn before them, could have done otherwise than commit. If the parties who complained in this case could not afford to bring it before a court of law, they ought at least to have rested content with the opinion of the Secretary of State, to whom they applied upon the subject. Lord John Russell, in reply to the application made to him, gave it as his opinion that there was no case made out at all; and that it was one of the most frivolous and vexatious charges ever brought against a body of gentlemen. Such was the opinion of Lord John Russell, after he had made the fullest investigation into all the circumstances of the case; and with the repetition of that opinion he would leave the case, as now explained, in their Lordships' hands.

Viscount *Strangford* would not follow the noble Baron through his anticipatory eulogium of a Bill yet to be brought before the House, because he thought such a course extremely irregular and inconvenient. He would confine himself to the petition just presented, with all the facts connected with which he had been made acquainted. What was more, he knew (what, perhaps, the noble Lord did not suspect that he knew) the secret history of the mode in which, and the objects for which, the petition had been got up. But a sense of what was due to the dignity of their Lordships restrained him from saying all he knew. When the noble Lord gave notice of his intention to complain of the mal-administration of justice at Brighton, he concluded that, during the noble Lord's stay there, some act of felony or fraud had been committed: that the Magistrates had suffered it to go unpunished, and had thus supplied the noble Lord with a natural and becoming occasion of standing up in that House to vindicate the insulted law, and to arraign those through whose corruption or collusion its behests had been interfered with. He was, however, happy to find that the noble Lord's complaint against the Magistrates was, not that they had suffered an offender to escape, but that they had fearlessly and manfully done their duty in endeavouring to bring the offender to justice. The noble Lord thought it hard that the prisoner should have been committed for trial in the face of the prosecutor's subsequent declaration that he believed the goods were not taken with a felonious intention. Did the noble Lord forget that the law had most wisely determined that the Magistrates, and not the prosecutors should decide upon the character of an offence, and whether an offender should be committed for trial or not? If it were otherwise, what would happen? Why, the feelings and the interests of prosecutors would be constantly practised upon, and, either through false lenity or less worthy motives, they might be induced to withdraw their charges, and thus men of whose guilt no doubt could be entertained by any rational person would be suffered to escape. He believed that such things had actually happened. He believed that cases had occurred where prosecutors had been bribed or bought off—and thus that notorious offenders had escaped all punishment, except that which to some minds was no punishment at all—the scorn and the loathing of every society in which they had yet the audacity to rear their unabashed front. He regretted extremely that the noble Lord had not known, or had forgotten to inquire into all those circumstances of the case which had come to his knowledge, for sure he was, that the noble Lord would not then have lent the sanction of his high moral character, and the powers of his parliamentary weight and talent, to the support of a case which he believed to be the most paltry and the most pitiable that had ever been suffered to weary the patience or waste the time of their Lordships' House.

The Earl of *Chichester*, as a Magistrate resident in the neighbourhood of Brighton, begged to state that there was not the slightest foundation for any of the charges brought against the Magistrates of Brighton, either in the petition or in the case of the woman alluded to by the noble Lord. He begged further to state, that instead of the feeling of dissatisfaction which was alleged in the petition to exist against the Magistrates in consequence of the manner in which justice was administered by them, he believed that the universal feeling of the town and neighbourhood was exactly the reverse.

The *Lord Chancellor* wished to offer a few words upon this subject. Feeling as he did the great responsibility under which Magistrates at all times acted, he considered it to be the bounden duty of every man to protect them whenever they were unjustly or vexatiously charged with misconduct. The circumstances of this case were made known to him some time since. A petition was sent up to his noble Friend, the Secretary of State, containing certain allegations. This petition was communicated to him, and on looking it over there seemed to be one allegation which required explanation. It was alleged that the Magistrate had acted not only upon the evidence which had been produced before him in court, but upon some other information which he had obtained by means which were not known. Upon that point, therefore, a communication was made to the Magistrate; in reply to which he (the Lord Chancellor) received a most satisfactory answer. The ground of the allegation originated in a mistake, which arose in this way: After having heard the whole of the facts of the case, the Magistrates, as usual, retired into their private room to consider what course they should take. Coming back into the presence of the prisoner, and communicating the result of their deliberation, it was possible that they might have made some allusion to what had passed between themselves during their consultation, as well as to the facts which had been adduced before the public, and thus an impression arose in the minds of the prisoner's friends that they had been hearing evidence out of court. The Magistrates, on being written to by the Secretary of State, positively denied that they had acted upon any other evidence than that which had been adduced before them in open court. Their Lordships had heard from the noble Duke (Richmond) the nature of the evidence given before the Magistrates. He would abstain from making any observation upon that evidence; but he would ask if, upon such a deposition as that of the prosecutor, the Magistrates had not committed the party, they would not have been guilty of a gross and unpardonable breach of duty? What took place before the Grand Jury it was, of course, impossible for their Lordships to know; but they did know what had taken place before the Magistrates; and looking at the facts there sworn, he would say that a more clear case of felony could not be. As to the order complained of in the petition, with respect to the attendance of attorneys, upon that point the Magistrates did nothing more than they were allowed to do by law; and in this instance they no doubt acted from good cause. From all that had been stated, as well as from all he knew of the circumstances of the case, he had not the slightest doubt but that the Magistrates did in this case merely what they were in duty bound to do.

Lord *Teynham* said, it was true that this petition was not signed by the majority of the town; but it was signed by three hundred persons, all of whom, as he was informed, were very respectable. He begged that the petition might be read, in order that the House might judge whether it was worthy of the treatment it had received.

Petition laid on the Table.

HOUSE OF COMMONS,

Tuesday, March 1, 1836.

COMMITTEE ON RAILWAYS.] Mr. *Poulett Thomson* stated to the House the course he proposed it should pursue. By the Report of the Committee which had been circulated with the votes, hon. Members would be aware of the recommendations of the Committee: and he should call upon them to concur in a series of resolutions embodying those recommendations. The first would be, that it be an instruction to the List-Committee upon every Bill, to obtain specific information on all the points adverted to in the Report. The object of it was, that all the intelligence that could be furnished regarding particular railroads should be laid upon the Table. The next resolution respected divisions in List-Committees, and the attendance of Members upon those Committees. The third had for object the giving time for the nomination of Members upon List-Committees in cases where there were competing lines of railroad, in order that contending parties might come to an amicable arrangement, if they thought fit, and have the comparative merits decided by the same body of Members. The fourth resolution was directed against giving additional time to Committees to make their Reports on competing lines of railroad, excepting under special circumstances. The fifth resolution would be that whenever the report of a Committee related to three railroads with common *termini*, the House would take it into consideration, and discuss the subject on Tuesdays prior to the debate upon any pending motions. The reasons for these resolutions would be found in the Report on the Table. The Committee by which these resolutions were framed had had two points to consider; first, how special information could be obtained for the House on the different plans; and secondly, to take care that no injustice was done to those plans which had been submitted, in the course of the present Session, upon the faith of the existing standing orders. Whatever might be the opinion of the Committee as to the fitness of the plan as to the nomination of the List-Committee, and as to the standing orders, it had been found impossible to suggest any alteration as regarded Railroad Bills introduced in the present Session. The Committee had directed its best attention to a system that had prevailed to a certain extent—that of votes in Committees being made rather a matter of favour than of judgment. Next, it had had to consider the best means of making the House acquainted with such information as might guide its ultimate decision; that it might not be a tribunal called upon to determine upon the merits without the means of knowing what those merits were. One point had been mentioned and favourably received during the former discussion, viz. the propriety of referring railroads with different lines and the same *termini* to the same Committee. The Committee had been most anxious to recommend that plan, thinking that great advantage would result from it; but in justice to the different Bills, it had been found impossible to adopt it. It was rendered impossible partly because the Bills would be in various stages: one might have passed the second reading, and another might have passed only the first reading—these could not be referred at the same time to the same Committee, because the Bill that had only been read a first time might be thrown out on the second reading. It had therefore been thought best that such Bills should be referred to the ordinary List-Committee, but with an anxious desire that the conflicting parties should by consent go before the same Committees. The Report on the Table therefore recommended that the House should give every facility to such an arrangement. For this purpose it was suggested that some time should elapse before the lists were fixed, in order that parties might have time to come to an understanding if they thought fit. Such were the principal points in the resolutions of the Committee, but it had not thought fit to enter into any question of conditions: it had considered the House the proper tribunal for the conditions on which railroads should be granted, if any were thought necessary. It had been the most anxious desire of the Committee to do all that was best under the circumstances, and to remove all difficulties that were capable of being overcome. At present all it was necessary for him to do was, to move the first resolution he had stated.

Sir *Harry Verney* said, that he felt it his duty to propose that another select Committee should be appointed to take all the circumstances more fully into consideration. He believed that railroads were absolutely necessary to maintain the commercial and manufacturing superiority of this country, and his object was, that the fullest consideration should be given to the different lines proposed, in order that that which offered the greatest advantages might be adopted. At present it seemed to him that most of these schemes had been undertaken for the promotion of local and not of national, interests: and, in some cases, he had no doubt that public benefit had been sacrificed to private profit. He thought that some body, in the shape of a Royal Commission, should be constituted, with supreme power to examine and decide on the merits of conflicting plans, and to recommend that to the Legislature which seemed most worthy of adoption. The members of this Commission he would select principally from officers of the Engineers in his Majesty's service, associated with other known and competent individuals; and they would have to give their opinion and advice to the King in council. He had given notice of a motion for the appointment of another Committee, and it was his intention to persevere in it.

Colonel *Sibthorp* admitted, with the hon. Baronet opposite, that many of these undertakings had emanated from local interests, without any regard to national ones. He had no hesitation in saying, that upon grounds of public duty, in preference to private interests, he had taken every means of opposing these undertakings from beginning to end. He wished to put the public upon their guard with respect to them, for he was afraid Ministers were not inclined to give the subject due consideration. He thought time ought to be given for investigating the subject, for in some points the resolutions proposed by the right hon. Gentlemen opposite were not sufficiently specific. Every opportunity ought to be given of entering into the merits or demerits of the subject, and though he might agree with many of the resolutions proposed by the right hon. Gentleman, yet he was so satisfied of the good effects of further delay that he should vote with the hon. Baronet opposite for the appointment of a Select Committee. He thought that if the whole of the proposed Bills could be postponed until next Session it would be very desirable. He had some additional resolutions to propose, but he would postpone doing so at the suggestion of the right hon. Gentleman opposite till the great question was decided. He was much afraid, if these undertakings went on, that many who had embarked in them would find, that they had lost their all. Many persons had realised large fortunes—ten, twenty, and even eighty thousand pounds—by these railroad speculations. After some further remarks the hon. and gallant Member concluded by stating his intention of supporting the amendment for the appointment of a Select Committee.

Sir *George Strickland* felt, that it was desirable to introduce some plan by which Railroad Bills should be more attentively and patiently considered than they had hitherto been. He had been a member of the Committee on Railroads, and had hoped on entering the Committee that they should have been able to have devised some general rules for the better management of the business relating to these Bills; but he found that upon mature consideration in the Committee it was impossible, under the circumstances, to do so. It depended, he thought, on the House itself to give a more patient consideration to this subject, and to pay a greater attention than they were in the habit of doing to private Bills of this nature.

Mr. *Potter* thought, that a great improvement might be made in the mode in which the juries for assessing compensation were appointed; and he wished that greater attention should be paid to the protection of the rights of way, as far as public paths and thoroughfares were concerned. Sufficient attention was not paid to these points.

Lord *George Lennox* complained that so many Railway Bills should be referred to the same Committee; and he regretted that the Report of the Committee on Railways had not recommended that no Member of the House should be a Member of a Committee on any Bill for the formation of a railway of which he was a director or a shareholder.

Mr. *Hume* thought that too much attention was paid to private interests in the consideration of Bills relating to Railways. The points of greatest importance to be considered by Committees were, first, whether there was a probability of the Railroads being carried into effect; and next, whether, if carried into effect, the public interest would be benefited. He was of opinion, however, that until a proper tribunal was established for deciding on the merits of these Bills, no authority could be relied on except that of the whole House. He was willing to admit, that the object of the hon. Baronet's Amendment was a good one, and that the instruction which that hon. Member had moved, was one calculated to produce a public benefit. But the first step which the House should take was to provide a proper tribunal for these Bills. Fifteen Members would be sufficient to constitute a Committee, and he would suggest that not less than twelve should form a quorum. When less than twelve attended, the proceedings of the Committee ought to be suspended, a Report made to the House, and the Members who were absent called to account. Let the Committee be drawn by ballot, and the first fifteen be held to constitute the Committee, unless objections were made, such as had been suggested by the noble Lord (Lord G. Lennox)—namely, the being directors or shareholders of the company, which he thought was a disqualification. He should object to the resolutions proposed by the right hon. Gentleman, unless the House thought it fit to adopt the plan he had suggested—namely, that of a limited Committee to be made responsible to the House for their conduct.

Lord *Stanley* said, that in the Committee of fifteen, which had framed the resolutions, the only absent Member was the hon. Member for Middlesex. That hon. Member had given his attendance only for two or three hours the first day of sitting. It was true he had propounded the proposition just put by him to the House; it was not acceded to, and he never gave the Committee his company afterwards. The Committee had decided that no alteration should be made in the nature of the tribunal in the present Session, because they were willing to see how the existing form would work before they adopted a new one. Besides, they had taken every precaution to secure the attention and strict attendance of hon. Members—by proposing that those who were absent should be reported to the House—that the names of every hon. Member who divided should be recorded in every division and submitted to the House also; and moreover, that every hon. Member should state his reasons for his vote, and give the cause which led to his conviction. The proposition of his hon. Friend the Member for Buckingham, was impracticable. It would be impossible for one Committee to decide on all the applications before Parliament. At that moment there were no less than fifty-seven schemes for railways before the House, or in various stages of progress—a fact which needed only to be known to prove that it would be impossible for any set of men to report singly on them. With regard to the proposition of the hon. Member for Middlesex, he thought it might be considered next Session; but he was sure it would be anything but an advantage to the public to consider it at present. As far as selecting the Committees by ballot went, he would only say, that when the time consumed in an election ballot was considered, it would be anything but a saving of it to adopt the hon. Member's proposition. With respect to appointing a separate Committee for each Bill he should simply observe, that if the hon. Member's suggestion were acceded to, of having fifteen or twenty Members to each Committee, with the present number of Bills—fifty-seven—before the House, 855 Members would be required out of a House composed of 658. When all these things were considered he was sure the House would agree with him that the Committee had acted wisely in recommending no alteration at present in the form of the tribunal. If in the course of trial the system suggested by them should be found insufficient for the ends it was designed to secure, then it would be for the House to adopt any other which would be likely to give more satisfaction. It was proposed as a temporary, not as a permanent arrangement, and on these grounds he supported the Resolutions.

Mr. *George F. Young* said, that though the House and the country were deeply indebted to the Committee, yet, on the grounds adduced by the hon. Member for Middlesex, he was bound to say, he thought their Resolutions did not give entire satisfaction. Neither did he think the noble Lord's defence then partook of his usual success in matters of that nature. He was of opinion, that some improvement in the constitution of the tribunal was necessary; and as it was important to the public, it should be effected at once. With so many Bills for Railways before Parliament, any evil which might result from immediately doing it, would be overbalanced by the good it would produce.

Mr. *Harvey* suggested, that a mode of meeting the difficulties in connexion with the question of railways, would be to make it incumbent on projectors to submit their several plans to the Home Office six months at least before the meeting of Parliament, say, on the 1st of August in each year; and also to deposit a sum of money sufficient to defray the expense of engineers in surveying and reporting the respective lines of railway. Government would thus be enabled, at the meeting of Parliament, to point out to the House those plans which were most feasible, and by that means a great saving of time and trouble to the House, and of expense to the parties, would take place. In his opinion the Resolutions of the Committee would be productive of great advantage, though he would freely admit they were open to much comment and objection. But, on the whole, it were better that any further proceeding should be deferred as to the constitution of the tribunal, than that a crude and hasty measure should be adopted by the House. The hon. Member objected to the suggestion of the noble Lord, the Member for Sussex, on the ground that there were indirect influences, equally, if not more powerful, than the direct one of being a registered proprietor or shareholder; and he admitted that he was a shareholder himself, as well as many other hon. Members whom he could name, but denied that it could have any influence on his opinions. Another suggestion which he should venture to make was, that the Committee should not hear too many Counsel; one on each side would be enough, and it would save time and expense to hear no more. If, however, the suggestion of the noble Lord was to be adopted, he (Mr. Harvey) should further propose, that no hon. Member having interest, direct or contingent, in railroads should be allowed to take part in the proceedings of the Committee.

Lord *George Lennox* had not meant to allude personally to the hon. Member; and he must state that neither himself nor any Member of his family had any interest, contingent or direct, in any line of railway before Parliament.

Mr. *Gisborne* said, that he was a proprietor of shares in a railway speculation, and that nothing which had been said on the subject should induce him to throw them away.

Sir *Robert Peel*—Sir, the discussion

before the House involves matters of considerable importance to the public, and in which it is evident the public take a deep and proportionate interest. I admit, Sir that the noble Lord has made out a strong *prima facie* case in favour of the propriety of excluding from these Committees the shareholders and Members who had a direct interest in the matters brought before them; and if the principle of security involved in his suggestion be adopted, I think it ought to be applied much more extensively. But, Sir, the security he purposes to attain, is, in my opinion, a false security, and more calculated to deceive the public than to effect any practical benefit. I apprehend that the man least liable to suspicion of acting unjustly is he whose interest is most notorious in the question, and who has a considerable stake depending on its decision. But this interest is not always so apparent, though perhaps really as great, in the case of the man whose estate is cut through by the railroad, and who has an opportunity afforded him of making his own terms with the Company—or in the case of the man who would be greatly though privately benefitted by its execution. How can such cases be met? If the noble Lord does not exclude all who may possibly be interested in the question, he acts in opposition to his own principle. But it really appears to me, Sir, that it will be impossible to exclude altogether the influence of private and remote interests in the consideration of these affairs, and that it will be better to leave it to the private honour and judgment of an individual so interested, whether he should attend on the Committee or not. The hon. Member for Middlesex said, that he still thought it very possible to adopt precautions against interested decisions; and the hon. Member for Tynemouth thought that a tribunal to adjust all the claims of property interfered with would be very desirable, and ought to be established. It would certainly be very desirable to form such an arrangement, and if it could be effected it ought to be. But, Sir, it cannot be accomplished, at least during the present Session. The noble Lord has said, that there were fifty-seven Bills for Railroads at present before the House, and it is a settled point that a Select Committee cannot enter on business with less than fifteen Members. This would, therefore, require above 800 Members for railroads alone. But there are numbers of private Bills for other objects than railroads. I believe the number of private Bills amounts altogether to 200, which would, if this arrangement were adopted, demand a House of 3,000 Members to supply them with Select Committees. The Ministers themselves would be liable to be called on to contribute to the progress of the railroads, and their evidence received, like others, before Select Committees. I repeat, Sir, that there is no time this Session to take sufficient precautions, as a means of security, for the proper and efficient working of this Select-Committee system. It will not effect the object, to take fifteen by ballot indiscriminately from the whole House, for the majority may be completely ignorant of the locality in question, as well as of the principles involved in the establishment of railroads. Again, seven of the elected may be impartial men, and eight may be notoriously interested. What is then to be done? If you act on the noble Lord's principle you must make them stand aside. You must provide for their exclusion by introducing the right of challenge into your arrangement. You must, in short, to insure the proper working of such a system, provide a vast number of regulations. The most serious practical objection, however, is the want of attendance of a sufficient number of Members to enable the House to enter on a proper comprehensive selection for such Committees. You may say, I will compel every Member to attend by a special and comprehensive order; but will you make no allowance for illness or accident? [An *Hon. Member:* Nothing easier.] Nothing easier! Nothing is easier said; and that's the answer everyone is inclined to make to objections that cannot otherwise be got rid of. Will you have a Call of the House upon every Select Committee to insure their full attendance? It is provided, that if three out of fifteen Members be absent, the Committee will be closed for the day—a Resolution which would put it into the power of any three Members opposed to the Bill to stay away and put the parties to great inconvenience, by protracting the proceedings, or perhaps defeat it entirely. A hundred other cases equally likely to occur might be stated as tending to make us slow in adopting the views of the hon. Member. Further, I must remind the House, that all the private Bills before it have been introduced, and all the consequent expense incurred, on the faith of the existing regulations; and though the Motion now submitted may be calculated to effect good at a future day, it would be most unfair to introduce it, and apply it to those before us. Therefore, being quite inapplicable to the existing state of private business, and the private Bills now before the House, I feel myself bound to oppose the views of the hon. Member for Middlesex.

Viscount *Sandon* wished that Committees should exercise a subsequent, as well as a previous, right of investigation and control over railroad affairs by the examination of engineers and others concerned therein. He wished also to remind the House of the injury likely to result to the public service by allowing those Companies to exercise an unlimited right of toll.

The *Chancellor of the Exchequer* agreed in the necessity of framing some protection against the power of the Directors to institute a monopoly of price; for, suppose a line running from London to Bristol, it would be very desirable to engage it in the service of the Post-Office. This arrangement would, however, throw into the hands of the Company a power of charging their own price, in reference to which it would be not unwise in the Post-Office to take care that the country should not in future be burthened thereby. It would, therefore, be advisable to introduce a clause in favour of the Post-Office in the general regulations applicable to each, compelling these Companies to carry the mails at a certain fixed rate—at least not permitting them to charge the Post-Office more than they charged others for similar parcels.

Mr. *Warburton* remarked, that it had appeared very extraordinary and unaccountable to behold individuals sitting in Committee to consider the propriety of a railroad in which they were themselves Proprietors and Directors. He would suggest the propriety of the Chairman of each Committee examining every individual who took a part in the investigation or appeared before it, touching his private interest in the matter. He thought there would be little difficulty in striking a Committee of fifteen proper individuals. He would take the list of the House as it now stood, and make Members declare whether they would act or not. He thought that on any occasion thirty or forty Members might be found ready and quite independent, impartial, and unobjectionable in every point of view.

Lord *Granville Somerset* was understood to recommend that the powers of investigation and regulation which it was proposed to bestow on the Committees, should be applicable to those railroads already established, as well as to those in progress of formation, and for which persons were now seeking railroad Bills to establish them.

The *Speaker* read the following resolutions, and put the question on each *seriatim*:—

1. Resolved, that Committees on Railway Bills do inquire into the following matters, and report specially thereupon, when they report the respective Bills to the House.

As to the proposed capital of the Company formed for the execution of the project, and the amount of any loans which they may be empowered to raise under the provisions of the Bill; the amount of shares subscribed for, and the deposits paid thereon, the names and residences of the directors or provisional Committee, with the amount of shares taken by each; the number of shareholders who may be considered as having a local interest in the line, and the amount of capital subscribed for by them, and the number of other parties, and the capital taken by them; a statement of the number of shareholders subscribing for 2,000*l.* and upwards, with their names and residences, and the amount for which they have subscribed.

The sufficiency or insufficiency for agricultural, commercial, manufacturing, or other purposes, of the present means of conveyance, and of communication between the proposed *termini*, stating the present amount of traffic by land or water, the average charges made for passengers and goods, and time occupied.

The number of passengers, and the weight and description of the goods expected upon the proposed railway.

The amount of income expected to arise from the conveyance of passengers and goods, and in what proportion; stating also generally the description of goods from which the largest revenue is anticipated.

Whether the proposed railroad be a complete and integral line between the *termini* specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line.

Whether any, and what, competing lines of railroad there are existing, and whether any, and what, are in progress or contemplation; and to state, so far as circumstances will permit, in what respects the proposed line is superior or inferior to the other lines, if there be any.

To state what planes on the railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes.

To advert to any peculiar engineering difficulties in the proposed line, and to report the manner in which it is intended they should be overcome.

To state the length, breadth, and height, and means of ventilation of any proposed tunnels, and whether the strata through which they are to pass are favourable, or otherwise.

To state whether, in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

To state the length of the main line of the proposed line of the railroad, and of its branches respectively.

To state generally the fitness, in an engineering point of view, of the projected line of railroad.

If it be intended that the railroad should pass on a level any turnpike road or highway, to call the particular attention of the House to that circumstance.

To state the amount of the estimates of the cost or other expenses to be incurred up to the time of the completion of the railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

To state what is the estimated charge of the annual expenses of the railroad when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Whether the calculations proved in evidence before the Committee have satisfactorily established that the revenue is likely to be sufficient to support the annual charges of the maintenance of the railroad, and still allow profit to the projectors.

The number of assents, dissents, and neuters upon the line, and the length and amount of property belonging to each class traversed by the said railroad, distinguishing owners from occupiers; and, in the case of any Bill to vary the original line, stating the above particulars with reference to such parties only as may be affected by the proposed deviation.

To state the name or names of the engineers examined in support of the Bill, and of those, if any, examined in opposition to it.

To state the main allegation of any petition or petitions which may have been referred to the Committee, in opposition to the preamble of the Bill, or to any of its clauses; and whether the allegations have been considered by the Committee, and, if not considered, the cause of their not having been so.

To state, in addition, any circumstances which, in the opinion of the Committee, it is desirable the House should be informed of.

2. Resolved, that this House will not proceed with the further consideration of Report of any Bill, until it has received from the Committee specific replies in answer to each of the questions contained in the foregoing resolutions.

3. Resolved, that the Clerk of every Committee on a Railway Bill do take down the name of every Member attending the Committee on each day; and if any division shall take place in the Committee upon any of the matters which the Committee are directed to inquire into by the preceding resolution, or upon the Special Report in respect of such matters, the Clerk do take down the names of Members voting in any such division, distinguishing on which side of the question they respectively vote; and that such Bills be given in with the Report to this House.

4. Resolved, that in order to afford time for the proper discussion of the Reports on Railway Bills, this House will upon every Tuesday proceed in the first place to the consideration of reports on such Bills; provided, however, that three or more such Bills have been reported, and stand for further consideration of Report.

Sessional Order, that this House will not receive any Report of any Private Bill after Monday, the 6th day of June next read.

5. Resolved, that with regard to such Railroads as are classed as competing lines of Railroad, this House will not enlarge the time for making any such Report, as has been the practice in former Sessions of Parliament; and that the said Order be peremptorily enforced in this Session, in respect of Railway Bills.

6. Resolved, that when any Railway Bill has been read the second time and committed, this House will not immediately nominate the Committee, but appoint some future day for such nomination, with an interval of at least three clear days between the day of the second reading and the day for the nomination of the Committee.

Resolutions agreed to.

AGRICULTURAL DISTRESS.] Mr. *Eaton*, in rising to present a petition, said, Sir, I trust the House will grant me their indulgence for a few moments while I once again refer to the extreme difficulties which now prevail in presenting public petitions. I have received a most important petition from Cambridgeshire and the Isle of Ely, and although I am at this moment so unwell that my medical adviser desired me not to quit my bed, still I conceived it my duty to the petitioners to use every means in my power to present their petition. I hold in my hand an important petition signed by a very numerous, loyal, and most respectable body of the landowners and yeomanry of the county of Cambridge and Isle of Ely. It comprises signatures of men of every political shade of opinion, for all alike unite in seeking for redress and justice in their present embarrassed and almost hopeless state. The grievances which have long weighed so heavily upon the agricultural classes of this land, now press with such extreme severity upon all connected with the cultivation of the soil, that I have great reason to believe and fear that a large portion of the rent of England is paid, not from the profits of the farmers, but from the little capital amassed by honest industry in better times; and that this resource is now exhausted. I beg to submit to the House that the distress of this part of the community is felt with additional pressure by the honest and industrious labourer; and I must say, that the patient and hard-working husbandmen are most deserving of the public sympathy and assistance. It is my duty to inform the House that the petitioners have frequently preferred their most humble petitions to this honourable House, in the hope that they would be deemed worthy the consideration of the Legislature; and they again entreat the attention of the House to their just demands; that they are in full hopes that their distress (which must be admitted by all) may be alleviated by the intervention of Parliament; but hitherto, unhappily, little or no relief has been afforded to them. I now congratulate the petitioners and the country on the appointment of an Agricultural Committee within these walls, which, although not composed as fully as I could have hoped, of a larger proportion of the representatives of strictly agricultural counties, will still, I most sincerely trust, do justice to the humble and distressed farmer, and not only investigate the causes of this general calamity, but devise some salutary measures to prevent the recurrence of it for the future. I now beg to submit that the petition be read, and submitted for the further consideration of the Agricultural Committee.

Agreed to. Petition referred.

REMUNERATION TO MEDICAL MEN AT INQUESTS.] Mr. *Wilks* presented a petition from a medical gentleman named Barker, in favour of the measure for granting compensation to medical men attending as witnesses on Coroners' Inquests. The petitioner stated, that on the 22d of July, 1834, he made a *post mortem* examination of the body of a person who was supposed to have been murdered by the administration of poison. The Coroner postponed the inquest until the next day, in order to give time for the petitioner to analyse the contents of the stomach—an operation which occupied him for several hours each day for several days. The Jury had expressed their gratitude to him for the trouble he had taken and the skill he had exercised on the occasion, and recommended the parish officers to compensate him for his loss of time. That ten guineas would have been scarcely sufficient to remunerate him, but that he was willing to accept of three guineas, and that even this moderate sum the parish officers said they had no power to give. The petitioner therefore thought that the Legislature ought to interfere in a case of such public importance.

Several other petitions had been presented on this subject.

Mr. *Wakley*, in rising to ask leave of the House to bring in a Bill for granting compensation to medical men attending as witnesses at Coroners' inquests, said that after the favourable manner in which the petitions just presented to the House upon this subject had been received, he should detain the House only a very few minutes. In the Bill that was brought in during the last Session for regulating the fees of Coroners a clause was proposed to compensate medical men, but the clause was objected to, and in consequence the whole Bill was very properly rejected. It had been asked, why should medical witnesses be remunerated any more than any other class of witnesses? But there was no analogy in the cases. Medical men attended professionally at inquests, and not as mere casual persons who might have chanced to witness an accident by which the loss of life was caused. The duty, too, of medical witnesses on those occasions was of a most important nature, and often attended with great danger to themselves, as they were frequently obliged to occupy twelve, and not unfrequently fourteen hours in a *post mortem* examination; and yet after all this trouble, hazard, and loss of time, the Coroner had no power to award any compensation. He looked upon it that having no provision of this nature for such services was a much greater injury to the public than it was to the profession. It must be recollected that the Coroner's Court was a most important Court. It was not only one of the most ancient, but it was the only Court in which the people had the election of their own Judge. In all cases where the cause of the loss of life was involved in any doubt or mystery reports were often circulated injurious to individuals, and it was the evidence of medical men alone that could, by a *post mortem* examination of the body, give satisfaction to the public mind. Within a very short period several lives had been lost under circumstances which could only be explained by men acquainted with medical science. He alluded to those unfortunate persons who had been destroyed by the use of quack medicines, and he lamented to say, that never in the history of this country was quacking so general or successful as it was at present, chiefly owing to the encouragement it received by advertisements in newspapers. He thought it was the duty of the Government to interfere, and he hoped they would interfere to prevent, at least, the circulation of those quack medicines under the sanction of a Government stamp. At an inquest which had lately been held, arising out of the use of those medicines, the ends of justice would have been defeated if the attendance of medical men could not have been procured. When the House saw the great importance of the question to the public interests, he was sure they would not refuse to grant the slight remuneration that would be sufficient to satisfy medical men. Having thus shortly stated the principle of the Bill, he would not detain the House longer, but reserve the details for the Committee. He should conclude by moving for leave to bring in a Bill to provide for the claims of medical witnesses at Coroners' Inquests.

The *Attorney-General* said, he was favourable to the principle of the Bill, and had no doubt that it would prove a useful measure. He hoped, however, that the hon. Member would guard against the provisions of the Bill being converted into jobs, by enabling Coroners to call in some medical friend with a view to entitling him to compensation.

Mr. *Warburton* supported the motion, and hoped that the Bill would provide for the payment of medical men, not only as witnesses but also for any operation they might be called on to perform, with a view to ascertaining the cause of death. It must take a considerable time to analyse a poison, and to enable a man to do so he must have a knowledge of all poisons, and surely a man ought to be paid for his skill and trouble. The ends of justice would be defeated if medical men refused to attend and give their evidence.

Sir *George Strickland* supported the motion; but, as the charge of remuneration must fall on the county rate, he hoped the remuneration would be as low as possible. He well knew the liberality of the medical profession, and he was sure that they would be satisfied with a very low rate of compensation.

Mr. *Wakley*, in answer to an observation made by an hon. Member, begged to observe that a Coroner might desire the overseers to have a medical man in attendance, but at the same time the medical man might refuse. He could not in case of refusal, be proceeded against for contempt of court. He hoped the Attorney-General would pay some attention to the progress of the Bill, and suggest such amendments as his professional experience would enable him to recommend in it. He understood there was in Ireland, under the Grand Jury law, a great deal of jobbing in the selection of medical men to attend at inquests.

Leave was given.

TURNPIKE TOLLS.] Mr. *Mackinnon* rose for the purpose of moving for the appointment of a Committee to inquire into the subject of Tolls. It would be similar in its object to a motion of his last Session. His motion was granted at that time; but it fell to the ground on the change of Government. The object he then proposed was the consolidation of turnpike trusts. Subsequently, however, the hon. Member for Perth brought in a similar Bill, and it proved of great advantage. What he meant now to propose for investigation by a Committee was whether it would not be desirable to provide for the keeping up of highways by some other kind of revenue than by tolls. He believed the Chancellor of the Exchequer was not disposed to agree with him in the application of any other species of revenue to this object than that already provided. The present mode of raising the money by tolls was a most injurious one, and in that opinion the Lords' Committee agreed with him. A post carriage duty, or a horse and carriage duty, would be far preferable. The expense and inconvenience of the present mode of collection was very great. The hon. Member concluded by moving for the appointment of the Committee.

The *Chancellor of the Exchequer* said, this subject came rather within the department of his noble Friend (Lord J. Russell) than his. He wished the motion to be so drawn up as not to commit the House, directly or indirectly, to any opinion upon the subject. He was not disposed to concur in the principle which the motion seemed to involve, that the State was to furnish the money. If they did so, of course it must be under the administration of the state. He saw some difficulties, but he had no objection that the subject should be inquired into.

Committee appointed.

THE REPUBLIC OF CRACOW.] Sir *Stratford Canning* said: I am anxious to take the liberty of calling the attention of the noble Lord the Secretary for Foreign Affairs to a letter which appeared in one of the public prints to day respecting an interference that has taken place on the part of the Austrian, Russian, and Prussian Governments in the State of Cracow. I will take the liberty of reading the statement to which I refer:—" *Cracow*, Feb. 18.—A corps of the troops of the three protecting Powers entered the city and territory of the republic yesterday, under the command of the Austrian General Kaufmann von Frauensteinberg, to enforce the demand of the Powers made to our republic, because, as the General says in a proclamation, this demand has not been complied with by the Government of Cracow, notwithstanding the means gratuitously offered to it. At the conclusion of the proclamation he says, ' Meantime the operations of the administrative and judicial authorities of the republic experience no interruption: of course, however, they are subordinate to the military authority in the measures that relate to the public safety and the clearing of the territory of the republic." A second proclamation enjoins those individuals not natives of the republic, who, in the capacity of officers, subalterns, or privates in the former Polish army, or who in any manner took an active part in the late Polish revolution, to quit the territory within the time of six days, in the manner already stated, with the threat of severe punishment for them, and those who may harbour and conceal them, even such as have been admitted into the civil or military service of the republic, or have acquired the rights of citizens." Upon reading this, I cannot help calling to mind one of the stipulations of the Treaty of Vienna; in the 9th Article of that Treaty the States of Austria, Russia, and Prussia undertake to respect the State of Cracow and its territory, and that it shall not be interfered with. This probably is not the proper occasion for me to go into the matter. I will, therefore, simply ask the noble Lord whether his Majesty's Government has received any information similar to that which I have read; and if so, whether it is their intention to take any notice of the transaction?

Viscount *Palmerston*: His Majesty's Government have not received any official account of the entrance of the troops of the three Powers into Cracow, but we have received official reports of discussions having taken place between the residents of the three Powers at Cracow, and the Senate of that State, respecting the residents of certain Polish subjects there. At the same time I do not think it altogether improbable that the Austrian troops have entered the place. At first sight this might appear to be an infraction of the whole of the treaty of Vienna alluded to by my right hon. Friend, but, of course, I am not now prepared to give an opinion on the subject. In answer to the question of my right hon. Friend I will only say, that of course this is a matter to which the Government will direct its attention; but the House cannot expect me to state what steps the Government might deem it expedient to take.

THE MAURITIUS.] Mr *Borthwick*: Sir, the matter to which I am now shortly about to direct the attention of the House, is one, which in itself is so very important both to the national character, and to the colonial interests generally, that I must entreat that indulgence of the House which it is wont to extend to humble and little experienced Members, when venturing to obtrude themselves upon their attention on matters of such vital consideration.

Sir, in the course of the last Session, several motions were placed upon the books of the House, relative to the state of the Mauritius; and several hon. and learned Gentlemen of great experience, stated, from time to time, their intention of bringing the subject before the House, and almost as frequently they were postponed, till on the 13th August the question was by the hon. and learned Member for Liskeard (C. Buller) postponed *sine die.* At an early period of the present Session, the hon. and learned Member for Bath (Mr. Roebuck) brought under the consideration of the House the state of that Island, as it regarded the administration of justice, and although under that head he certainly directed the attention of the House to the state of the slave-population, yet it would appear that the grounds upon which his motion was based, were too narrow to justify an inquiry, turning as it did too much upon personal, individual considerations, relating, indeed, to persons, perhaps there of great consequence and importance, but still relating to persons, who, however important they might be in their situations, were to this House of no moment at all, as a foundation for inquiry. I did not vote therefore for the motion of the hon. and learned Member for Bath, any more than I should have voted for the motion of the hon. and learned Member for Liskeard, if it had been based upon grounds so narrow and unimportant.

Sir, it is my object, in pursuance of the notice which I have given, to bring the subject before the House,—not upon considerations arising from the treatment which individuals may have experienced officially in the Isle of France;—not upon considerations arising from any party feeling,—I stand here the representative of no interest—white, or black, or brown;—but as the humble advocate of justice even-handed, equal justice, to all; I stand here as the advocate of the honour of the country, as it regards colonial interests, and of justice to the Mauritius, as it regards its relation to the mother country.

Sir, in the year 1826, a Select Committee, which had been appointed by the House, to "inquire whether the slave trade was prevailing at the Mauritius, to what extent, and the causes of it, and to report thereon to the House;"—which Committee was empowered to report the minutes of evidence taken before them, agreed to the following Report: "From the late period at which your Committee was appointed, it has been impracticable to conduct more than a partial investigation of this very important inquiry. Your Committee is therefore unable in the present state of the proceedings, to do more than report the minutes of evidence taken before your Committee; feeling it their duty to add, that they consider it as yet premature to suggest any opinion. These minutes of evidence will hereafter be made available to such purposes as Parliament may deem necessary. Your Committee have learnt with satisfaction, that the Colonial Government has manifested a desire to furnish the means of prosecuting and bringing to a close the inquiry in which your Committee have been engaged."

Sir, those minutes of evidence, though laid upon the Table of this House, were never printed; and to this moment we are without the means of reference to them, they having been destroyed by the late unfortunate fire, by which the Houses of Parliament were consumed. I must entreat the attention of the House to the wide difference which exists between the relations of this country to the Mauritius, and its obligations to that Island, and those which exist between it and any other of its colonial possessions.

Mr. *Jervis.* Sir, I move that the House be counted.

The House was accordingly counted, and there being forty Members present;

Mr. Borthwick continued his speech.—After a lapse of some minutes

Mr. Rigby Wason again moved that the House be counted: when there appearing only thirty Members present, the House adjourned.

HOUSE OF COMMONS,

Wednesday, March 2, 1835.

Minutes.] Petitions presented. By Mr. R. Wallace, from Greenock, against the Dublin Steam-Packet Bill; from the same Place, and from Trowbridge, for the Repeal of the Duty on Newspapers.—By Captain Winnington, from Worcester; and by Mr. Baines, from the Methodists of the same Place, for Relief to the Dissenters.—By Mr. R. Palmer, from three Places, and by Mr. G. J. Heathcote, from Boston, for the Protection of Agriculture.—By Mr. William Miles, from Devizes; and by Mr. R. Palmer, from several Places, for the Amendment of the Poor-Law-Amendment Act.—By Colonel Gore Langton and Mr. William Mills, from a Number of Places, for the Better Registration of Voters.—By Mr. W. Miles, from the Medical Practitioners of Frome, for Remuneration on attending Coroners' Inquests.—By the same, Mr. Shaw Lefevre, Mr. Elphinstone, Mr. Law Hodges, and two other Members, from a Number of Places, against the Additional Duty on Spirit Licenses.

Registration of Electors.] Mr. *Miles* presented a Petition from the Electors of a Hundred in East Somerset, complaining that by the decision of the Revising Barristers there, they had been disfranchised, though in every respect entitled to the right of voting. This petition was only one of a class, as his hon. colleague was intrusted with a great number of petitions from the same division of the county, containing the same complaints. Indeed, so complete and general had been the disfranchisement of the electors in that county in consequence of the decision alluded to, that he thought a clause should be introduced into the Registry Bill at present before the House, with an *ex post facto* operation, so as to make the list of 1834 answer there. Not less than 1,200 qualified electors had been disfranchised by the decision of the Revising Barristers in that county. The case to which the present petition referred was this:—One overseer signed the list, and he took it to the other overseer to put his signature to it. The latter not being able at the time, owing to illness, to write his name, requested his brother overseer to do it for him, which he accordingly did in his presence and by his authority. When the list came before the Revising Barristers, they asked the usual question of the overseers, namely, whether their signatures were in their handwriting, and as one of them was obliged to answer in the negative, they rejected the list.

Mr. *Gore Langton* hoped that the House would do something to remedy the serious grievance of which the electors of East Somerset had, in this instance, to complain. He had been intrusted with several petitions from a large portion of his constituents, complaining of this grievance. The petitions came from electors well qualified, both by property and intelligence, to possess the right of voting, and who, by the decision alluded to, had been all disfranchised. The hon. Member then presented several petitions from places in the eastern division of Somersetshire, complaining of the effect of that decision.

Petition laid on the Table.

AGRICULTURAL DISTRESS IN SCOTLAND.] Mr. *Stewart Mackenzie*, on presenting a Petition from the proprietors and occupiers of land in the counties of Ross and Cromarty, said, that it was signed by many very respectable landlords, and by a numerous body of tenantry, many of whom are paying rent varying in amount from 500*l.* to 1,200*l.* a-year. I learn, Sir, that copies of this petition have been forwarded to the noble Marquess, the Member for Buckinghamshire, who takes so deep an interest in the agricultural question, and to several Members connected with that part of Scotland from which it comes. I should, perhaps, content myself by having this petition laid on the Table of the House, and moved that it be referred to the Select Committee on Agricultural Distress, without detaining the House with any observations of my own upon this most important and interesting topic, but I deem it a duty I owe to my constituents to call the attention of this House to the prayer of the petition, which, while it points out to the Legislature the state of general distress throughout the kingdom among the cultivators of the soil, prays this House that inquiry should be instituted into the special causes of distress affecting the agriculture of Scotland, which the petitioners assume and declare to be essentially different from those causes which depress either the English or the Irish agriculturist. I am not one of those persons who anticipate any great practical benefit from the inquiry of the Select Committee recently appointed by the House; neither am I one of those who expect to witness a third experiment upon the monetary standard of value in this country, unless, indeed, under the urgent necessity of war, after the fearful results which flowed from the interference with that standard in the years 1797 and 1819. I may add, that I am very much disposed to come to the conclusion enforced in the Report from the Select Committee of Agriculture, which sat in the year 1833, that "contracts, prices, and labour, have a strong natural tendency to adjust themselves to the value of money once established;" but I fear the hope expressed in that same Report, "that the balance may be restored, which will give to farming capital its fair return," is not in progress of being soon realized. That same Report, after examining several witnesses from Scotland, declared, "that the farmer, upon the whole, appeared to have suffered less in Scotland than in England from the fall of prices; and that corn-rents, which have lately come into more general use in Scotland, protect the tenantry under lease from the effects of a falling market." I do not complain of this rather meagre allusion to the state of Scotch agriculture in the Report of 1833; but I think that I am in consequence the more justified in pressing upon the House the necessity of inquiring into those special causes of agricultural depression, which (if to them distress be to be attributed) have continued in full operation up to the present time; for it cannot be denied that the Scotch agriculturist lives more economically, cultivates with not less skill nor less economy than the English farmer, under the benefit of a lease of considerable endurance; so that the explanation of this continued depression becomes more difficult, unless it is to be contended that a new adjustment of his covenant with the landlord is the only legitimate source of relief which presents itself to the Scotch farmer. Believing, however, as I do, that a general reduction of rents throughout Scotland, of from twenty-five to thirty-five per cent. has already taken place within the last twenty years, inquiry becomes more urgently called for, to ascertain the special cause of the grievance of which the agriculturist complains. I take this opportunity of adverting to one burden which applies to all Scotland, equally to many of the northern counties of England; perhaps, with few exceptions, to the farmers throughout the kingdom generally—I allude to the tax upon agricultural seeds, clover, tares, and linseed, which may be considered as part of the raw materials, if I may use the term, required for the farmer's manufacture. A duty of 20*s.* per hundred, which is levied upon all clover-seeds imported, operates injuriously, by enhancing the price of both the home-grown as well as the imported seed; and frequently induces the farmer to use that which is of inferior quality, from being imperfectly ripened at home, being sold at a somewhat lower price than the imported article. It is true that a few of the counties of England produce clover-seed to a considerable extent; but if the foreign importer can afford to the agriculturist a superior article at a lower price, the repeal of the duties on these seeds would be directly beneficial to all concerned in agriculture. The average amount of duty for the last three years is about 56,000*l.* per annum on clover-seed, affecting directly those parts of the country where, in ordinary seasons, such seeds cannot be ripened. It may also be mentioned, that the duty precludes the import of many kinds of agricultural seeds. I trust the Chancellor of the Exchequer may be able to afford this relief to the agriculturist of Scotland and of the other parts of the United Kingdom; and I feel confident of the support of my right hon. Friend, the President of the Board of Trade, in urging the necessity to relieve this imported article, as he has himself done so much in relieving all raw materials from severe and excessive import duties. No doubt, any measures of relief to the farmers generally can avail little, except that of proportioning the rent more nearly to the price of produce, and which can only be gradual, and arise from a conventional arrangement between landlord and tenant; but while the English farmer will be benefited by the amendment of the poor-laws, by the diminution of payment of county and local rates, by the still more beneficial measure of commutation of tithes—of all which measures I cordially congratulate his Majesty's Ministers, both upon the adoption and success, up to this time; while Ireland is increasing rapidly in the quality of its agricultural produce, and supplying the markets of England—almost to the detriment of the English farmer—it makes it the more imperative upon me, and those who are connected with the agricultural interest in Scotland, to endeavour to satisfy the complaints of our countrymen, by exhibiting a prompt and ready desire to investigate the causes that they believe injuriously affect the agricultural interests of that part of the empire. I have to apologize, Sir, for this long intrusion; but I hope that the importance of the subject will plead with the House, and that I shall receive its indulgence.

Mr. *Robert Ferguson* warmly supported the petition, so far as respected the removal of the duty upon agricultural seeds, clover, tares, and linseed, which imposed a very unjust burden upon the general mass of the agriculturists of this country. This imposition affects every part of the country, with the exception of a few of the southern counties, where the superiority of the climate allows the seeds to come to maturity; and was most severely felt in the great agricultural county which he represents, in which it operated as a severe tax once in each of the regular rotations of cropping.

THE NEW POOR-LAW.] Mr. *Kemp* presented a Petition from a large body of his constituents at Lewes, complaining of the operation of certain clauses in the Poor-law-Amendment Act. The petitioners were very anxious that every relief should be given to the rate-payers, but they were also anxious that nothing should be done to press with unnecessary severity against the interests and feelings of the unfortunate paupers. The petitioners objected to several clauses in the Act; they objected also to the conduct of the Assistant Poor-law Commissioner at Lewes, and regretted that he had not made himself sufficiently acquainted with the wants and feelings of the pauper population, but had contented himself with the information derived from partisans in that part of the country. Of the conduct of that gentleman he (Mr. Kemp) could not, of course, be any judge; but he should feel it his duty to move that the petition be laid on the Table. With respect to the clauses of the Act to which objections were made by these petitioners, the most prominent were those relating to bastardy. They complained of the hardship which the unfortunate mother was now exposed to, because under the old law either the father or the parish was bound to provide for the child, and the consequence was, that the parish sought the father, and compelled a provision; but now the guardians were not bound to look to any provision being made; so that many persons of great respectability escaped the charge of supporting their illegitimate children, and the burden fell upon the mother. The petitioners also objected to the Board of Guardians being in all cases controlled by orders emanating from the Board of Commissioners in London, and particularly as to the quantity of provisions to be allowed to the paupers. Another circumstance that the petitioners complained of was, that sufficient attention was not paid to the education of the children that were taken from their poor parents and put into separate workhouses. They also objected to the clause which allowed of the separation of the husband and wife. He recollected that, in the course of the debates which took place on that clause, it was asserted that no such thing as the separation of husband and wife could occur under the operation of the Bill; but such cases had occurred. A Bill, giving such important powers to the parochial authorities, ought to provide proper restrictions over the persons exercising such powers. The petitioners pointed out certain remedies for the removal of the objections entertained by them; and, particularly, they thought that the elected guardians of the poor should have their powers somewhat extended, so as in particular cases they might be enabled to afford relief out of doors. The petitioners also suggested that rate-payers should not be allowed a plurality of votes, but that the guardians should be elected by each rate-payer having a single vote. They likewise thought that the elected guardians ought not to have their decisions liable to be counteracted by the introduction of an *ex officio* guardian. He certainly thought it particularly hard, now that the community were allowed to appoint their own municipal governors, that the poor of those communities should be handed over to the tender mercies of a Board of Commissioners sitting in London. The hon. Member concluded by bringing up the petition.

Mr. *Goring* could not withhold his testimony to the very humane conduct of the Assistant Commissioner to whom the petitioners had alluded. He had at all times taken into consideration the feelings of the poor, and was always anxious to ascertain what were their wants, while he ever lent an attentive ear to the suggestions of the Board of Guardians. A school for the education of the pauper children had been, at the suggestion of that gentleman, established by the Board of Guardians, and the greatest benefit had been derived from it. At his suggestion, also, the Board of Guardians had resolved to give premiums for merit among the children, which, no doubt, would have the most beneficial effect.

Sir *Charles R. Blunt* had been requested to support the prayer of this petition, which he was very willing to do; although he was bound to say that, as far as his observations had gone, the new Poor-law Bill was working well. At the same time it was obvious, that a measure of such magnitude must, from time to time, require amendment. He was happy to learn that a noble Lord in another place had, on a question being put to him, expressed his willingness to take certain suggestions as to the Board of Guardians, into consideration.

Petition laid on the Table.

LIGHT-HOUSES.] Mr. *Poulett Thomson* seeing his Friend, the hon. Member for Middlesex, in his place, wished to ask him whether he would consent to abandon the Bill he had introduced relating to Lighthouses, upon his (Mr. P. Thomson's) assuring him that he was ready to introduce a Bill upon the same subject? It would not be in his power, or in the power of his Majesty's Government, to give the consent of the Crown to the second reading of his hon. Friend's Bill, framed as that Bill now was; but he was willing to pledge himself to introduce a Bill founded generally on the recommendations of the Committee on Light-houses, and which would contain pretty nearly the same provisions as the Bill of his hon. Friend.

Mr. *Hume* observed, that after what his right hon. Friend had stated, that he could not give the consent of the Crown to the Bill he had introduced, he had no remedy. All he could say was, that his Bill was drawn up agreeably to the instruction of the Committee which sat the year before last. He was sorry to be called upon to give up that Bill; but he could not help himself, for he was in that situation in which he must yield. He would, therefore, not press his Bill.

Light-House Bill postponed for six months.

FINAL REGISTER OF ELECTORS.] Mr. *Elphinstone* moved the second reading of the Final Register of Electors' Bill.

The *Attorney-General* would not oppose the second reading of the Bill; but there was one clause which his hon. Friend had inserted in it to which he (the Attorney-General) must object. By the law as it stood at present out-voters were disfranchised; but if the clause which he alluded to were to be passed, it would re-create a body of out-voters.

Mr. *Rigby Wason* was of opinion that the registration before the revising barristers was not yet sufficiently perfect to admit of being rendered final. When some further time had elapsed, he should not object to the registration being final.

Mr. *Grote* thought that the hon. Gentleman misapprehended the object of the Bill. He did not understand that it was intended to make the revising barristers' decision final; but that no objection to a vote should be raised before an Election Committee unless there had been a previous objection raised before a revising barrister, and that all votes brought before him, and not objected to, should be final. He thought this was a wise and politic measure; and one which was calculated to save a vast expense to parties going before Election Committees.

Mr. *James B. Praed* opposed the Bill. It was essentially opposed to the principle supported by his Majesty's Ministers at the passing of the Reform Bill. He thought the practical effect of the measure would be to embarrass and postpone, if not to prevent altogether, the administration of the law at the proper time and place.

Mr. *Charles Buller* was surprised that the Member for West Yarmouth should, after a year's delay, have brought forward the same specious, plausible, but unsound objections. He might as well urge them against every Court of Law in the kingdom, and particularly against the House of Lords. According to his arguments noble Lords should exclaim against the presumption of those who appealed to them, after having had the benefit of the best Judges, Counsel, &c., in the Courts below. He thought the House had, very consistently in its references to this subject, considered the Revising Barristers' a Court of Appeal, in conformity with the usual course of practice in all the English Courts of Law. The House would now do wisely to sanction by its vote all its best decisions, and not leave it open to a man with a large purse to refuse to go at the proper time before the revising barrister, put his opponent to ruinous expense, and set justice at defiance, by a protracted investigation before a Committee, as at present.

Mr. *Hume* suggested, that as, by the law as it now stood, a man was not entitled to vote till he had paid up his rates a full year, he should be allowed the benefit of a full year after the payment in considering his sufficiency as a rate-payer.

Mr. *Warburton* recommended that the questions put to the voter should be as simple as possible, and no question of law and fact combined, as in the case of scot and lot voters. He related an instance of perjury that occurred to a person of this class, in his reply to the third question, which he thought ought to be omitted.

Mr. *Aglionby* agreed with the last speaker, and instanced probable cases of embarrassment to voters in replying as to the value of holdings which might fluctuate from 12*l.* to 10*l.* a few days before the poll. He thought that a man's having been once qualified during the previous year ought to suffice.

Mr. *Goulburn* said, that this purported to be a Bill for the general and final Registration of Voters, but he found also mixed up with it clauses to permit changes in the localities and qualifications of certain classes of voters—a mode of getting through the business that he especially reprobated. The hon. Member should limit his Bill to its specific object.

Mr. *Williams Wynn* did not rise to object to the Bill, but there were such a variety of matters contained therein that it could not well be considered as a whole, and he would recommend that it be referred to the Committee up stairs to consult on the classification of the clauses, and bring them in a more consistent form before the House.

Sir *James Graham* had sat six weeks last Session on a Committee along with the hon. Member for West Yarmouth, in the discussion of the principle points of this question, yet one of the most important remained undetermined. It was this —whether the decision of the Revising-Barrister was to be final or not? He purposed to draw a line of distinction between the objections taken at the registration, and arising subsequently to it, and previous to the vote. The Barrister's decisions on the first class should be final. The latter might be left open to further consideration.

Bill read a second time.

INTIMIDATION OF VOTERS.] Mr. Poulter moved that the Intimidation of Voters Bill be read a second time.

Mr. *Williams Wynn* did not object to the second reading, but, at the same time, he certainly thought that it required a little concentration before going into Committee. The language in which some of its provisions were worded was very strong.

Mr. *Ord* wished his hon. Friend would allow it to be referred to a Select Committee, to make arrangements for the better security of the subject under the application of these new powers.

Mr. *Poulter* referred his hon. Friend to the statute of the 5th George 4th, where he would find that every desirable security was provided by the forms to be observed in bringing all questions of misdemeanour first before Grand Juries; then, if they pass those, before the usual Petty Juries. The offence, if supported sufficiently before the first, and proved before the second, would amount to simple misdeameanor, a degree of crime with which the Courts already knew well how to deal. He had intended to take the Committee on Wednesday next, and if in the meanwhile any hon. Member could suggest any alteration or amendment to him, he should be most happy to give it his attentive consideration. With regard to the wording of the provisions, he had adopted the language of preceding enactments, in declaring the threatening and intimidation of voters a misdemeanor punishable either by fine or imprisonment. He hoped the progress of the Bill would not be delayed. It was wholly unnecessary to refer so plain and intelligible a point to a Select Committee up stairs. He had no objection to postpone the committal of the Bill if it were considered advisable.

The *Chancellor of the Exchequer* said, that the Bill appeared good as far as it went, but it should not be unconditionally adopted, for the Intimidation Committee had not yet finished their labours, and might recommend other things, which it would be desirable to embody in one Bill, and the House might be embarrassed if they had not the opportunity. It was open to that Committee to take cognizance of this Bill, and he would recommend, as the most prudential course, that it be referred to them after the second reading.

Bill read a second time, and referred to a Select Committee.

COUNSEL FOR PRISONERS.] The House went into a Committee on the Prisoner's Counsel Bill, on the first Clause being read,

Mr. *Wakley* called attention to a discrepancy existing between the first clause, which states that "after the passing of this Act all persons tried for felonies shall be admitted, after the close of the case for the prosecution, to make full answer and defence thereto by Counsel learned in the law;" and the third clause, which enacts, "that all persons accused before any Justice or Justices of the Peace, of any offence against the law, shall be admitted to make their answer and defence to such accusation, and to have any witnesses examined or cross-examined by Counsel, or by Attorney, attending on his behalf." Independently of the incongruity of the clauses, he thought that the limitation of a prisoner's defence to Counsel or Attorneys, or both, exhibited a narrow and exclusive feeling, which had better be done away with in the reformation effected by the present Bill. They both belonged to self-constituted and arbitrary societies, who really were not themselves amenable to law in their regulations, as his hon. Friend near him (Mr. Harvey) had experienced; and he thought t too much to leave prisoners or the public exclusively depending on their aid. Why not allow a prisoner to choose whom he pleased for his defence? Unless he received some satisfactory answer on this point, he should certainly move the insertion of a proviso that prisoners should have the benefit of defence by Counsel or Attorneys, or any person they might be desirous to employ.

Mr. *Ewart* would support the hon. Gentleman if he moved such a proviso. He had abstained from inserting it in the Bill, not because he objected to the principle, but because he thought any attempt to establish it would be a hopeless one.

Mr. *Rigby Wason* said, that only a few days since, the hon. Member had made a very strong speech against medical quacks, and he hoped he was not now going to show more favour to legal quacks and pettifoggers.

The *Attorney-General* observed, the hon. Member was not perhaps aware of the direct tendency of his suggestion. The principle of the Bill should be adhered to—it was, that prisoners should have the advantage of being permitted to have Counsel, so as to secure to them the benefit of a full defence on their trials. He would ask the hon. Member, was the present a desirable opportunity to introduce a discussion whether any other persons than those called to the Bar should be admitted to act as Counsel for Prisoners? There could be no doubt of the extreme propriety of the persons so intrusted with the defence of prisoners so circumstanced being subject to the control of some respectable body of men, as the Bar undoubtedly was. It tended to the security of those whose advocacy they undertook, and the maintenance of the dignity of the profession itself. If the proposition of the hon. Member were adopted, it would be open to any returned transport from Botany Bay to put on a wig and a gown and appear as the advocate of a prisoner on his trial. He begged the hon. Member and others who were friendly to the great and important object of this Bill—namely, providing the prisoner with ample means of defence—to reflect upon the possible consequence of adopting such a proposition. He would warn the friends of the measure to abstain from any proposition, which, like the present, was perhaps well calculated to injure the principle of the Bill.

Mr. *Williams Wynn* saw no reason why attorneys should be suffered to supersede Counsel in Courts where there was a regular attendance of that branch of professional men. The case was different when those Courts where attorneys were admitted to plead came under consideration; and as far as this alteration or amendment went, he for one would not be disposed to offer any objection, but would gladly concede to prisoners the privilege of employing attorneys to plead on their behalf in those Courts where they now practised as Counsel. The House could not act too cautiously in entertaining or assenting to innovations upon the present mode of conducting criminal trials in the English Courts of Law, as the most dangerous results might happen, quite unforeseen even by those whose benevolence prompted them to make those alterations.

The *Attorney General* admitted the expediency of making an amendment to the extent just mentioned by the right hon. Gentleman opposite—namely, that wherever attorneys were now suffered to practise, there prisoners should be permitted to take advantage of their assistance. The words, however, proposed to be added for the purpose of effecting this object, were not, he conceived, solely directed towards that end; they had a different and a far deeper intention, and would produce an effect widely opposite from that which the Committee were led to believe; for if they were added to the clause, the immediate consequence would be, that any person whatsoever, be his station, conduct, character, or pursuits, what they might, would be entitled to act as Counsel for prisoners, and it was no unlikely or impossible circumstance, in case the amendment was agreed to, that an accused person might select for his Counsel the most accomplished thief or swindler, with the view of evading the law and not of fairly meeting the evidence.

Mr. *Hume* observed, that the hon. and learned Gentleman who had just sat down had drawn an inference and pictured a case in the very extreme of what was possible to happen, even if the amendment as it now stood were agreed to—no such circumstance as that of one thief, however accomplished he might be, being brought into Court to defend another. The real question before the Committee was, whether the person standing accused upon a criminal charge should or should not be allowed to select his own legal defender, and be the judge of his own Counsel's ability? He begged, therefore, to say, as he was disposed to think the whole measure might be endangered in another place by the insertion of the words proposed to be added, that he would recommend it to his hon. Friend, the Member for Finsbury, whether it was not advisable to withdraw his amendment and to suffer the words proposed to be substituted to be inserted instead, upon the principle that it was better to get what he could in the way of reform, than to risk it altogether by insisting upon too much.

Mr. *O'Connell* hoped that his hon. Friend would not press his amendment. He had as great an objection to monopoly as his hon. Friend, and he hoped soon to see it cease altogether, but the enemies of this Bill would find enough to cavil at without the introduction of any extraneous matter. Common sense, humanity, and the feeling of the country, however, called for the measure and he hoped, therefore, that his hon. Friend would withdraw his amendment, rather than let it stand as the least impediment in the way of success. He wished it, however, to be understood that he had not the least objection to attorneys practising in the manner that was desired.

Mr. *Wakley* expressed his readiness to withdraw his amendment, provided the suggestion which had proceeded from the right hon. Gentleman opposite was acted upon. In fact, his only object in proposing the alteration was to assimilate the second clause of the Bill with the third clause, which latter, he believed, contained a provision for the purpose of permitting Attorneys to practise as Counsel for prisoners, restricting them, however, to certain cases.

Sir *Frederick Pollock* begged to ask whether the object of the amendment was to admit attorneys to practise in Courts where at present members of the Inns of Courts alone were entitled to plead; because, if so, he must say he was not disposed to agree to it. It was the opinion of the most eminent men in the profession that the House ought to pass a Bill similar to this, for the purpose of giving prisoners Counsel, and there was a strong disposition on the part of the whole Bar to give this particular measure a fair trial. The question was one of practical good sense—namely, whether a prisoner should be allowed to make a full defence when put upon his trial, or not; and if this act of justice was denied him now, it must at some not very distant period be conceded. He hoped the hon. Member for Finsbury would be contented with the suggestion which had proceeded from his right hon. Friend near him. (Mr. Williams Wynn), namely, to confine the admission of attorneys to those Courts where they were already in the habit of pleading.

Mr. *Bernal* hoped the hon. Member for Finsbury would withdraw his amendment, in favour of that suggested on the other side. If such an innovation upon the practice of the Criminal Courts were once to be admitted, the same by a parity of reasoning, might be claimed in civil cases, and the inconvenience, to say nothing of the injustice or folly of such a proceeding, would be intolerable, and would reduce the Courts of Law to a condition utterly useless. Should the amendment be even agreed to, of which he saw no chance, the Bill, when it was sent to another place, would not stand the slightest chance of passing, no more than if the hon. Member were to propose to pass an Act declaring the empire of China to be part and parcel of the British dominions. He must confess he was both astonished and sorry to hear his hon. and learned Friend, the Member for Liverpool, express his consent to and approbation of the amendment. It was on his part little less than an act of suicide, and the only advice he could give him, if the Committee acceded to it, was to give himself no further trouble about the Bill, as there was not the most remote chance of its passing.

The *Solicitor-General* said, that he did not think the amendment was necessary to entitle attorneys to practise, because they would clearly have the right to do so under the original clause. Was it not the every-day practice at Quarter Sessions, as the law now stood, for attorneys to plead as Counsel, *pro hac vice*, and they would not be deprived of the right by this Bill? He only opposed the words because he thought them unnecessary.

Sir *Frederick Pollock* said, that if the hon. Member for Finsbury would allow him he would propose an amendment in the following words, which he thought would obviate all difficulty: "By Counsel learned in the law, or by attorney in Courts where attorneys practise as Counsel."

Mr. *Wakley* was willing to take, as an instalment of his own amendment, that proposed by the hon. and learned Member, and he should, therefore, not press his own proposition.

The amendment of Sir Frederick Pollock was then agreed to.

On clause 2,

The *Attorney-General* objected to that part of the clause which took from Counsel for the prosecution the right of last reply, and gave it to the prisoner's Counsel. The statute giving this privilege to the Counsel for the Crown was passed under the auspices of an enlightened statesman in the reign of Elizabeth, and from that time to he present he had heard of no grievance that had arisen out of it or complaint against it, except in cases of high treason, where the law had been already altered. During the State trials in which Lord Erskine had gained for himself such immortal fame there was no complaint made of the Crown Counsel having the last word. Was it not notorious that in all revenue cases the Counsel for the prosecution had the last reply, and who ever heard any complaint of that as a grievance? There was no ground, therefore, for altering the law in this respect. There might, perhaps, be particular cases where it would be an injustice; but let those special cases be provided for, and not a sweeping clause of this nature introduced, which he had no doubt would have the effect, if passed, of endangering the success of the Bill.

Sir *Frederick Pollock* said, that there were no words strong enough in which he could declare his sincere opinion, that if this provision were taken out of the clause it would be much better to put the Bill altogether into the fire, for, thus mutilated, it would act only as a snare for the prisoner. Unless the great principle of allowing to prisoners a full defence, their Counsel having the last word, were carried out to its utmost extent, it would be far better that the Bill had never been introduced. So long as a man was brought into Court by the King, and not allowed to defend himself fully by Counsel, the country would never believe that he had justice done to him. Why should prisoners charged with high treason, the greatest crime known to the State, have an advantage in their defence over any other class of prisoners? This was an anomaly that ought to be corrected. It was impossible that justice could be done unless the prisoner was allowed the last word. When he had this privilege he would have no motive for keeping back any part of [his defence, which was done now every day by prisoners, under the direction of Counsel, rather than give a reply to the Counsel for the prosecution. What the Attorney-General had said as to cases of smuggling was undoubtedly true; but it must be recollected that in all cases of this nature there was an opinion in the public mind, and of course amongst Jurors, that there was no real guilt on the part of the prisoner, owing to the relative situation of the parties. At one period there was no chance of a fair trial in some classes of cases, but he rejoiced that he had lived to see the mischief of such a state of things greatly reduced by the superior intelligence, and the strong sense of justice, by which Juries were now guided. He was persuaded that any evil that could arise from granting this privilege to Counsel for prisoners would gradually correct itself, and that in the result fair and impartial justice would be done. He considered that a gross injustice was done by giving to the prosecuting Counsel the last word. It had been objected to by a very enlightened member of the Bar, of great experience, who had given evidence elsewhere, that three speeches would be the number made by Counsel on all occasions of criminal prosecution; but he (Sir F. Pollock) differed from this opinion; for his opinion was that the number of speeches would not be three but four. If there were not four there would only be two, because if the Counsel for the prosecution did not insist on a reply, of course the Counsel for the prisoner would have no occasion to reply, as he had already made the last impression on the Jury. He believed that, generally speaking, the Bill would be in operation in nineteen cases out of twenty; for in about that proportion of cases prisoners did not employ Counsel at all. It was, however, quite essential that this clause should be carried in all its integrity, and the House, he thought, might safely look to Juries to correct any evil that arose out of it.

Mr. *O'Connell* perfectly agreed with the hon. and learned Gentleman who had just sat down, that it would be better to relinquish the Bill altogether than pass it without this clause in all its parts. There was no country in the world where law was known that the prisoner had not the last word except in this. In Scotland it was the case; and in France, not only had the prisoner's Counsel the last word, but the prisoner himself had a right to add anything he pleased after. When a man's life or character were at stake surely it was not justice to deny him every opportunity of explaining, not only everything that had been sworn against him, but everything that had been said against him. False inferences ought to be explained, and the Jury should not be suffered to be swayed by the talent of the prosecuting Counsel, rather than by facts, as was often the case. It had been said that in revenue cases it was never complained of that the Counsel for the Crown had the last word. He did not know if such were the case in this country, but he knew that it was constantly complained of in Ireland. He had often complained of it himself. He considered that in giving the prosecuting Counsel the right of two speeches an unfair advantage would be taken of the prisoner because he had called witnesses. This was making the law vexatious and oppressive. If this clause was rejected the Bill would be of little or no value. He had not seen the evidence of the hon. and learned Gentleman who spoke last, and therefore he begged to retract any observations he might have made upon it. The evidence in the source from which he drew his information, was misrepresented.

The *Attorney-General* said, that he had no intention of dividing the House upon this clause, now that he found the majority of hon. Members entertained an opinion differing from his own, to which he should bow. He, however, still thought, that if the last speech was allowed to Prisoner's Counsel, the practice would throw upon the Judge the unpleasant duty of summing up the whole case, as it were as Counsel for the prosecution. It was not urged that any inconvenience had arisen or complaint (as had been admitted by the hon. and learned Member for Dublin) had been made of the present practice, and he thought it was unnecessary, therefore, to go abroad to foreign nations for an example by which to alter a practice which had hitherto worked well.

Colonel *Perceval* understood the hon. and learned Gentleman opposite (Mr O'Connell) to say that he had not read the evidence of the Member for Huntingdon. Perhaps there were other parts of the evidence which he had not read, though he pronounced a very decided opinion upon it. He received a letter from a friend of his, Mr. Charles Phillips complaining of a most unwarranted attack made upon him by the hon. and learned Member for Dublin, in which that hon. and learned Member charged his learned Friend with having given false evidence before a Committee of the other House, with a view to the increase of his own emoluments as a Barrister. He would ask the hon. and learned Gentleman whether he had read the evidence of Mr. Phillips? If the hon. and learned Gentleman had not, he now called upon him to retract so gross and so unfounded an imputation upon an honourable man who deserved better.

Mr. *O'Connell* said, that Mr. Charles Phillips had been as long his friend as the friend of the hon. and gallant Member. Upon the occasion alluded to he did not name Mr. Phillips. He said he would prove the evidence. He did not then know, except from public report, that it was the evidence of Mr. Phillips; but the gallant Colonel now very kindly introduced the name of Mr. Phillips to afford an opportunity of quarrel between two old friends. He was most ready to retract anything which had fallen from him that could be considered as reflecting upon a most worthy man, whom he had the honour of knowing for many years.

Colonel *Perceval* would read the letter he had received from Mr. Phillips, for the purpose of showing that the hon. Member for Dublin could have meant no other person than Mr. C. Phillips when he alluded to the evidence given by a learned gentleman.

Mr. *Ewart* appealed to the House whether they would sanction such a proceeding as this — a proceeding quite uncalled for, and which might lead to acrimonious disputes. The letter had no connexion with the business before the House; and, the charge against Mr. Phillips having been withdrawn by the hon. and learned Member for Dublin, there could be no reason for proceeding further.

Colonel *Perceval* said, the Member for Dublin cast an imputation upon him of endeavouring to produce a quarrel between two friends. He had, therefore, a right to read the letter in his own defence. A request was made to him personally by Mr. Phillips to read his letter. (The hon. Member commenced reading the letter.)

Mr. *Ewart* again rose to order. So far as Mr. Phillips was concerned the charge was withdrawn. No retractation could be more honourable to both parties than that made by the Member for Dublin.

Mr. *O'Connell* said, Mr. Phillips must be now a very different man from what he had known him ever before to have been if the quarrel between them was not already made up.

Colonel *Perceval* said, he was informed by Mr. Phillips, that it was impossible the observations of the Member for Dublin could refer to any person but himself, he being the only Barrister who was examined upon that occasion, unless the Recorder of London could be alluded to under that denomination, which was not probable. The gallant Colonel read the letter as follows:

"49, Chancery-lane, Saturday evening.

"My dear Sir,—The prompt and generous manner in which you repelled the attack which Mr. O'Connell dared to make upon my character, has imposed on me the pleasing duty of proving that I deserved your vindication. You have now perused my evidence, and I ask of you whether I am not well warranted in declaring the imputation cast on me to be a base invention? It was a grievous imputation. No less than that of having, for my own emolument, and that of my brother Barristers, endeavoured to impede a useful public measure, and that, too, on my oath! That the Bill in question would have the very opposite effect, so far as I am concerned, every member of the profession knows. But I scorn so abject a vindication. If I had dared, before the high-minded and honourable Committee who examined me, to assign so vile a motive for my evidence, they would have driven me with well-deserved indignation from their presence. I was no voluntary witness. I was called upon unexpectedly, and by a compulsory process. To those noblemen I appeal, then, one and all, whether there is the shadow of a pretence for this imputation? But no man knows better than Mr. O'Connell that sordid interest has never been my guide. He ought to remember that, in defiance of the powerful party to which you belong, which was then omnipotent in Ireland, and amongst whom you know my natural patrons were—I sacrificed, for what I considered his persecuted sect, every hope of emolument or promotion. I claim no merit for acting conscientiously; but surely the fact ought to have shielded me from such an accusation, and from such a quarter. How I have incurred his enmity I know not. Can it be by my always having been his friend? You will scarcely believe, that after two-and-twenty years of the most confidential intercourse, his last act was that of cordial recognition on the very threshold of the House into which he was entering to asperse me! Mr. O'Connell is fond of adverting to his home. A happy one I know it is, and long may it continue so; but he ought not to have forgotten the helpless little ones of another home, whom he was depriving of their bread by depriving their parent of his character.

"I am, my dear Sir,
"Most gratefully your friend and townsman,
"CHARLES PHILLIPS.
"To Colonel Perceval, M. P."

Colonel *Perceval* would not trespass further on the time of the House. He hoped he had said enough to show that there was no ground for the charge against his friend.

Mr. *O'Connell* hoped the hon. Member had now satisfied himself. He retracted before the letter was read, and, after its being read, he now retracted again.

Mr. *Charles Buller* said, a more useless controversy, interrupting the business of the House, he had never witnessed, and as it was over he would return to the Bill. He thought it would be better to have only two speeches, giving the accused the last word. This was the practice in Scotland.

Mr. *Ewart* said, the circumstances here and in Scotland were different. There all the facts against the accused were stated at length. Here scarcely any of the facts were given in the indictment. He saw no reason why the accused should not have the last word in all cases, as well as in felonies and high treason.

Mr. *Hardy* thought it would be against the interest of the accused to have the last word. The prisoner must be well acquainted with the facts from previous examination. If four speeches were allowed, the Counsel must enter into a contest of sophistry and refinement, and the Judge become, in some measure, an advocate for the plaintiff.

The *Lord Advocate* said, the practice in Scotland greatly facilitated the administration of justice. The facts were all known to the accused. It was not so in England. In a charge of treason in this country, not one alone, but all sorts of treason, were charged in the indictment against the accused.

Sir *George Strickland* thought it would be better to pass the Bill without the clause. He was always of opinion that the best course would be to have no opening speech; to state the real facts in the indictment, and then let there be a speech on each side. The accused would thus have the last word. The present mode of drawing up indictments seemed rather strange. It was, for instance, the practice to charge a fact as having occurred at Leeds, when, perhaps, it took place fifty miles distant from it.

Mr. *Freshfield* could not assent to the clause, but would not divide the House upon it. He doubted much if the House understood the present practice. The object proposed was, to assimilate the practice in criminal and civil proceedings.

Mr. *Charles Buller* moved an amendment, to the effect that, according to the Scotch system, the speeches of Counsel should not begin until the whole of the witnesses had been examined, on the one side and on the other. He thought it would be time enough afterwards to consider the form of the indictment.

Mr. *Jervis* thought that if the clause was objectionable before, it would be ten times more so if the amendment of the hon. Member were adopted. This was an instance of the evils entailed on the House by long and unnecessary discussions; for, if the question had been allowed to rest where it was left by the Attorney-General, the House would not have had this proposition, which could not possibly take effect unless the mode and form of indictment were altered also. It would be impossible to have indictments so circumstantially framed as to afford all the information required for the purposes of the amendment.

Mr. *Ewart* was surprised, having been associated with the hon. and learned Member for Liskeard, in the introduction of this measure, that he should not have been allowed to share his confidence with respect to the present amendment. This very proposition had been negatived by a Select Committee two years ago, and he could not concur in it now. He thought the hon. and learned Member would have done better to have altered the form of indictment first, and the mode of pleading afterwards, instead of pursuing the contrary plan, which his motion proposed to do. The proposition he considered most mischievous and one which he would not have expected from an enemy to the Bill, much less from one known to be a friend to it.

The *Attorney-General* begged the hon. Member for Liskeard to withdraw his amendment, which he conceived would be more objectionable than the clause itself. The consequence of it would be, that at the close of the evidence the Jury would know very little or nothing at all about the matter before them.

Amendment withdrawn.

The original question was then put from the Chair.

[A discussion arose respecting the mode in which the division ought to be taken. A doubt being entertained as to whether the resolutions lately moved by the Member for St. Alban's, on February the 18th, applied to "Divisions in Committee," as well as to "Divisions in the House," it was resolved that the Chairman should report progress, and that the point should be decided by the House.]

The House resumed.

DIVISIONS IN COMMITTEES.] The *Attorney-General* said, there could be no doubt that the resolution having omitted to provide for the case of a Division in Committee, such a Division could not be come to unless the House were prepared to make the necessary alteration in the wording of the resolution.

Mr. *Ward*: Undoubtedly the intention of the Committee, from which the resolutions emanated, had been, that the plan should apply to all the Divisions of the House, and he would, therefore, with the permission of the House, move that the word "Chairman" be inserted in the resolution in order to avoid the difficulty. He then moved his amendment, but was reminded that he had given no notice. The hon. Member appealed to the Speaker whether he was to give notice or not?

The *Speaker* said, that the usual course certainly was to give notice of any motion intended to be brought forward.

Mr. *Hume* submitted that there were cases, however, in which the House was called upon to wave the standing regulations, and that this was one of those in which it could come to an immediate decision.

The *Speaker* said, there was no doubt if a Member was in possession of the House, he might make any motion he thought fit, but at the same time it had been customary for many years past for hon. Members to give notice of the motions they intended to make. It was a question whether a motion, which was to alter a resolution of the House, could be immediately made, and without notice.

Mr. *Grote* observed, that the resolutions rendered it imperative that the order for closing the doors should be given by Mr. Speaker, and if that person were not there to perform that duty, no Division could take place in the Committee. He thought it was the duty of the House at once to adopt some means by which the difficulty could be removed.

Mr. *Ward* said, that it was perfectly clear, that the business of the Committee could not be proceeded with until that difficulty was disposed of, and all he desired was, to make such an alteration in the wording of the resolution as would enable them to go on with the measure now under consideration. He therefore proposed to move, that all the provisions for divisions contained in the third resolution should be applied by order of the Chairman of a Committee as well as by the Speaker.

Mr. *Heathcote* said, that he could not approve of the proposition of the hon. Member for St. Alban's, because it might lead to serious injury if they were to allow any alteration of their proceedings to be made without notice on this subject having been previously given. It would, in fact, be establishing a principle which he hoped the House would never sanction.

Mr. *Robert Steuart* considered, that the hon. Gentleman in the chair had certainly the power to control the Committee, and if he had expressed his opinion on the subject, the difficulty would not have arisen. He understood that the motion that the Chairman should report progress was made, that the House might have the opinion of the Speaker as to whether the Committee should divide in the House or under the new system. He conceived it to be much more desirable that the House should have the opinion of the Chair on this point, than that they should continue to waste their time in discussion.

Mr. *Warburton* said, that the third resolution provided that the Speaker should give orders for the doors to be closed. He apprehended that it would be quite competent for the Speaker, although he were not in the chair, to allow the Division to be taken in the manner expressed in this resolution.

The *Speaker* was very unwilling to interfere, unless distinctly appealed to, but on an occasion of this kind he should not discharge his duty if he did not deliver his opinion. He was not surprised at the difficulty in which the House was now involved, because it had always appeared to him that some doubt might arise from the manner in which the resolutions were worded, though a word or two more would have removed it. He conceived that the question for the House now to decide was, whether they were of opinion that the words, "the doors being simultaneously opened by the Speaker's order," when put in competition with the other parts of the resolution, did not justify the House in coming to the decision that the resolution as it now stood did distinctly require, that the Committee should divide in the same form and manner as had been up to that time in use. He apprehended that there could be no difficulty in the House dividing on this occasion in the usual way. If the House were of opinion that for the future it would be expedient to establish the proposition moved by the hon. Member for St. Alban's, it would be only on the present occasion that the existing mode would be adopted.

COUNSEL FOR PRISONERS.] The House again went into Committee on the Prisoners' Counsel Bill, and immediately divided on the *Question*, that Clause 2nd stand part of the Bill.

The numbers were—Ayes 134; Noes 50—Majority 84.

List of the NOES.*

Bailey, Jos.
Blackstone, W. S.
Bonham, F. R.
Campbell, Sir J.
Chichester, J. P.
Childers, John
Clerk, Sir G.
Cole, Hon. A.
East, J. B.
Elley, Sir J.
Finch, G.
Forster, C. S.
Freshfield, J. W.
Gaskell, J. M.
Glynne, Sir S.
Goring, H. D.
Grote, G.
Hale, R. B.
Hanmer, Sir J.
Hardy, J.
Hay, Sir A. L.
Heathcote, G. J.
Hope, H. T.
Hoy, J. B.
Jackson, J. D.
Johnstone, J. J. H.
Knatchbull, Sir E.
Knightley, Sir C.
Lawson, A.
Lefroy, Rt. Hon. T.
Lefroy, A.
Lowther, J. H.
Martin, J.
Mordaunt, Sir J.
Pendarves, E. W.
Perceval, Col.
Pollington, Viscount
Rickford, W.
Rolfe, Sir R. M.
Ross, C.
Rushbrooke, Col.
Scholefield, J.

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* This and the following Division were not inserted in the Votes of the House.

Stanley, E.
Thomas, Col.
Trevor, Hon. A.
Vere, Sir C. B.
Vesey, Hon. T.
Wyndham, W.
Wynn, Rt. Hon. C. W.

TELLER.

Buller, C.

On the 3rd Clause, which provides, "That all persons accused before any Justice or Justices of the Peace of any offence against the law, shall be admitted to make their answer and defence to such accusation, and to have any witnesses examined or cross-examined by Counsel or by Attorney attending on their behalf,"

Sir *Edward Knatchbull* said, that he should think it his duty to divide the Committee on this clause, and would move an amendment in words to this effect:—"That permission to employ Counsel or Attorney should be granted to the parties accused, only in cases where Counsel or Attorney should have been engaged against them; that both parties should stand upon an equal footing, that neither the one nor the other should have any advantage in respect of Counsel."

The *Attorney-General* thought, that where an information was laid before a Magistrate, and a man was liable, if convicted upon trial, to be sent to the House of Correction, and confined at hard labour for six months, he had just as good a right to be defended by Counsel and Attorney before a Magistrate as before a Judge. But this clause would give a party accused a right to attend by his Counsel and Attorney at preliminary investigations before a Magistrate, and to bring witnesses to prove his innocence. It seemed to him that there were many cases in which a Judge was required to keep these preliminary investigations secret, that he might be enabled by the facts established on these occasions to find out who were the parties really guilty of the offence. It was plain that in such a case the accused might claim under this clause to be heard by his Counsel and Attorney; they might take notes of the evidence adduced; it might be published next morning in all the daily papers, and thus notice of their danger would be given to all the persons concerned in committing the offence. He quite agreed with the right hon. Member for Kent, that it was not at all necessary that there should be a defence by counsel or Attorney on preliminary investigations. When the prisoner came to be tried, than let him have his counsel—let him have every advantage; but he could not consent to make publicity the indispensable consequence of preliminary investigations. They saw this principle of secrecy exemplified every day in the administration of justice. Before a Grand Jury a man could not be defended by Counsel and Attorney, for that was an *ex parte* proceeding; but when they found a bill against a man, and he was put on his trial, Counsel and Attorney were justly granted to him. He should be very much pleased to see the Bill so modified as to give a power to prisoners to employ counsel in all cases of summary proceeding before Magistrates, but he did most respectfully warn the Committee that many injurious consequences might follow from passing it in its present state.

Mr. Sergeant *Woulfe* said, that the Committee had thought that persons accused before Magistrates should have the benefit of Counsel for the purpose of satisfying the Judge of all the circumstances of the case. It was a most monstrous thing that a man should be liable to be tried in a summary way by a Justice of the Peace without Counsel. Until lately the law of England was, that where a man was brought before a Justice of the Peace, not for the purpose of considering whether he should be committed for trial, but for the purpose of trying him, he was allowed the benefit of Counsel and Attorney. At present the Magistrate might refuse to allow Counsel, and in some cases he had refused. He wished to establish that as a right which was now only a matter of favour.

The *Solicitor-General* was certain that it would be most inconvenient if counsel were allowed to parties accused at preliminary investigations, and if the trial were thus converted into a kind of appeal from the decisions pronounced at these processes. There could be no doubt that the clause was originally intended to apply only to cases of summary conviction, and that the doubt had arisen from the manner in which it was worded.

Mr. *Aglionby* would put to the Solicitor-General a case where the Magistrates acted both as Judge and Jury, in which they had the power either of granting bail to the party accused, or of committing him to prison. Was it not a most important consideration whether a man should be incarcerated for some long and dreary months in a prison, or allowed to retain his liberty on bail—whether he should be dragged from his home, on his first offence, perhaps, taken before a Magistrate, and confronted by hostile attornies, without being permitted the aid of Counsel to defend himself?

The Committee divided on the Clause, Ayes 93; Noes 110: Majority 17.

List of the AYES.

Baldwin, Dr.
Bodkin, John J.
Brotherton, J.
Barnard, E. G.
Blake, Martin J.
Bernal, Ralph
Bowring, Dr.
Bish, Thomas
Bagshaw, John
Brabazon, Sir W.
Bridgeman, Hewitt
Brady, Denis C.
Buckingham, J. S.
Baines, Edward
Bowes, John
Berkeley, Capt. F.
Brownrigg, John S.
Chichester, —
Crawford, William S.
Chalmers, Patrick
Crawley, S.
Curteis, Herbert B.
Divett, Edward
Ewart, William
Evans, George
Elphinstone, Howard
Fergus, John
Finn, William F.
Fitzsimon, —
Gillon, William D.
Gaskell, Daniel
Grote, George
Grattan, Henry,
Heathcote, —
Hodges, Thomas T.
Hogg, James W.
Hall, Benjamin
Hector, C. J.
Hutt, William
Harland, William C.
Howard, —
Hume, Joseph
Humphrey, J.
Horsman, —
Jervis, John
Kemp, Thomas R.
Leader, John T.
Lynch, Andrew H.
Lennard, Thomas B.
Lennox, Lord J. G.
Lennox Lord Arthur
Mangles, James
Mullins, F. W.
Morrison, J.
Marshall, William
O'Loghlen, Serg. M.
Oliphant, Lawrence
O'Brien, —
O'Connell, Daniel
O'Conner, Don
O'Connell, John
O'Connell, M. J.
Parrott, Jasper
Pattison, James
Pryse, Pryse
Palmer, Gen. Charles
Power, James
Potter, Richard
Ruthven, Edward
Roche, David
Rippon, Cuthbert
Roebuck, John A.
Ramsbottom, John
Smith, —
Strutt, Edward
Stewart, V.
Sheldon, Edward R.
Steuart, R.
Thompson, Col.
Turner, William
Thornely, Thomas
Tulk, Charles A.
Villiers, Charles P.
Wallace, Robert
Ward, Henry G.
Warburton, Henry
Williams, William
Wakley, Thomas
White, Samuel
Wilkins, Walter
Wigney, Isaac N.
Woulfe, Sergeant
Williams, William A.

Clause rejected.

On the 4th Clause, which proposes "that all persons who, after the passing of this Act, shall be held to bail or committed to prison for any offence against the law, shall be entitled to require and have on demand (from the person who shall have the lawful custody thereof, and who is hereby required to deliver the same) copies of the examinations of the witnesses respectively upon whose depositions they have been so held to bail or committed to prison, on payment of a reasonable sum for the same, not exceeding 4*d.* for each folio of 100 words."

Mr. Sergeant *Woulfe* moved, as an amendment, that there be inserted after the words "committed to prison" the following:—"or which since their committal to prison or admission to bail have been taken before any Justice of Peace." His hon. and learned Friend near him said, that no such practice as that which his amendment was intended to check existed in England; but this he knew, that the practice of taking depositions against the prisoner in his absence after he was sent to prison was very prevalent in Ireland, and as this Bill extended to Ireland, he thought his amendment highly necessary.

Mr. *Cutlar Fergusson* contended, that in England no Magistrate had a right to take depositions against a prisoner in his absence. The practice which the hon. and learned Gentleman wished to check had no existence in England. He should be sorry to see the admission in an Act of Parliament that such a practice was sanctioned by the Magistracy of England. He should certainly oppose the amendment.

Mr. Sergeant *O'Loghlen* said, that the practice of taking depositions in the absence of prisoners prevailed in Ireland. So far was it from the fact that prisoners were present when the witnesses were examined against them before the Magistrates in cases of felony, that the reverse was generally the case. In Ireland the practice was to refuse to the prisoner the depositions or copies of the depositions made against him. The amendment was therefore necessary. The practice which it was intended to abolish was very injurious to the prisoner, and certainly ought not to be continued.

The *Attorney General* could not assent to the amendment, as it would appear to legalize a practice which he abominated. If such a practice as that which the hon. and learned Sergeant described prevailed in Ireland, it was illegal, and ought at once to be reprobated. He remembered that in Lord Ellenborough's time an instance had occurred, in which a Magistrate had taken depositions against a prisoner in his absence, and that his Lordship had strongly reprobated the practice. Instead of introducing a clause like this, a Bill should be introduced to say, that if this practice be now law, it ought not to be law any longer.

Mr. *Williams Wynn* concurred in what had fallen from the Attorney-General, and should oppose the amendment.

Sir *Edward Katchbull* observed, that in England the practice was that which had been described by the Attorney-General; if the practice were so bad in Ireland, it ought to be put a stop to, but it would be unjust to do anything which might by implication confound the practice of the two countries, and therefore he objected to the amendment.

Mr. *Aglionby* doubted whether the objectionable practice was illegal in Ireland, where the Act 7 and 8 George 4th did not apply. He hoped the Attorney-General would reconsider his opinion, and allow words to be introduced into the clause which would remove all doubt on the subject.

Mr. *Roebuck* thought, if words were introduced simply declaring that no depositions should be used against a prisoner but such as had been previously communicated to him, it would remove all difficulty, without declaring any thing as to English or Irish practice.

Mr. Sergeant *Woulfe*, after the declaration of the Attorney-General, would withdraw his Amendment.

Clause agreed to.

On Clause the 5th the Committee divided. Ayes 158; Noes 51: Majority 107.

House resumed; Committee to sit again.

EXTRA-PAROCHIAL PLACES BILL.] Mr. *Jervis* said, that as he understood opposition was to be offered to the motion which he was about to make, from quarters whence it was least to be expected, he should state shortly the nature of this Bill. The object he had in view was, to make a provision for the maintenance of the poor in extra-parochial places. The effect of the existing law being, that no overseers could be appointed for those districts, and no orders could be made upon them to support their poor, who were consequently thrown upon the adjoining parishes, without furnishing any means whatever for their maintenance; although by law extra-parochial places were liable, for such had been the construction put upon the statute of Elizabeth. Now extra-parochial places had received a great benefit under the Municipal Corporations Act, and it was unjust, that those who were to receive such advantage should not bear their share of the burthen of poor-rates. Besides which, the noble Lord, the Secretary for the Home Department, had a Bill before the House for the "Registration of Births, Marriages, and Deaths," which Act could not be carried into effect in extra-parochial places, where there were no overseers, if this Bill did not pass. But he had a stronger authority for the Bill than any consideration he could suggest. He begged to call the attention of those hon. Members who opposed it to the opinion delivered by Lord Althorp, who, when he (Mr. Jervis) proposed a clause for throwing upon extra-parochial places the maintenance of their own poor, in the Poor-Law Amendment Act, expressed himself favourable to the principle of the clause; and, though he advised him (Mr. Jervis) not to press it at that time, lest it should provoke the opposition of persons, whose interests would be affected by such a clause, to the whole Bill, stated that if he would bring the proposition forward in a separate Bill it should have his support; and in that opinion also he was supported by Lord Hatherton, then Chief Secretary for Ireland: as also by the hon. and learned Member for Huntingdon (Sir F. Pollock), who, on that occasion stated, that the principle of the measure was just, though he properly suggested that some special provision should be introduced for the Inns of court. That would be matter of detail, to be considered in Committee; and he trusted, that the House would so far recognize the principle as to allow the Bill to be read a second time.

The question having been put,

Mr. *Goring* said, that in his opinion, the hon. Member had no right to throw upon extra-parochial places, either belonging to the Crown or individuals, the additional burthen which the measure contemplated; and even if the principle were correct, the principle could not be worked out by the provisions of his Bill. He proposed, for instance, to enact, that "overseers should be appointed in every place according to the provisions of the Act of Elizabeth." Now those provisions were, that two church-wardens, and two or three householders might meet, and on a certain day elect overseers, whereas, in many extra-parochial places, there were not two householders resident, and in none were there churchwardens. He could not help characterizing it as a very bold piece of legislation on the part of the hon. and learned Gentleman: it was a remarkable instance of the hasty manner in which Members of his profession, just going upon the circuit too, concocted crude pieces of legislation, and he hoped the House would join in postponing the Bill at least for three weeks.

Sir *Frederick Pollock* rose, not to discuss the question at length, but merely to ask whether the proposed Act would not charge Crown lands to a considerable extent?—Whether the consent of the Crown was not, therefore, necessary; and was this Bill brought forward specially that night because none of his Majesty's Ministers were present.

The *Attorney-General* said, he understood the office of Woods and Forests had great difficulty with regard to the question, and wished for delay.

Sir *Charles B. Vere* considered the Bill was an invasion of private property, and he trusted that, as such, the House would not come to a hasty decision upon it. He moved, that the Bill be read a second time that day six months.

Mr. *Jervis* was very much surprised at the manner in which the Bill had been received from all parties. As to the observation of his hon. and learned Friend, the Attorney-General, it was true the Commissioners of Woods and Forests had expressed a wish for delay?—but when? Not till it was set down for second reading, and he then postponed it to this night for their convenience. It was true, none of his Majesty's Ministers were there; but was that his fault? particularly as he had spoken to the Chancellor of the Exchequer that night, and told him it was coming on. Besides, if the consent of the Crown were necessary, he knew enough of Parliamentary business to know, that it could be obtained any time between this and the third reading. Therefore, there was no objection on that ground to the second reading, if the House should think fit. So much for the technical objections, urged he was sorry to say by his hon. and learned Friend the Member for Huntingdon, who had been so lately favourable to the principle of the Bill. He wished to ask the hon. Member for Shoreham (Mr. Goring), whether his opposition to the Bill was by desire of the Government? and if so, whether it was right that a Bill should be stopped altogether, just because the Ministers of the Crown would not take the trouble to attend in their places, to propose a clause exempting, if necessary, the Crown lands from the operation of the Bill. The hon. Member had called it a "crude" and "hasty" measure: it might be crude and hasty, but it was the very measure, in effect, approved of by Lord Althorp and Lord Hatherton (then Mr. Littleton), the only difference being, that it was now in a separate shape. He trusted the House would allow it to go to a second reading.

Lord *Granville Somerset* was favourable to the principle of the measure, but must join in the opinion expressed by the hon. Member for Shoreham (Mr. Goring), of the crude state of the Bill in its present shape. He hoped the hon. and learned Gentleman would consent to postpone it.

Mr. *Aglionby* suggested to his hon. and learned Friend (Mr. Jervis), whether the better way would not be to comply with the wish so generally expressed till after the Easter recess.

Mr. *Jervis* consented, and asked permission of the House to let the Bill stand over to the 20th of April.

Second reading of the Bill postponed to April 20th.

Corporation of Poole.] Mr. *Poulter* moved the Order of the Day for the adjourned debate on the Motion, "That a Select Committee be appointed to inquire into the circumstances attending the late Election of the Municipal Council of the Borough of Poole."

Mr. *Hogg* rose to propose an amendment which he thought would meet the views of all parties, and which, without interfering with the proceedings now pending in the Court of King's Bench, would yet satisfy the views of the hon. and learned Member for Huddersfield, who complained, that though a Court of Law might ultimately punish the parties, yet that in the meantime they had full power to deal with and to alienate the corporation funds. He had hopes that his amendment, which the town-clerk and the members of the town-council generally were most anxious should be agreed to, would be the more especially acceptable, because, whilst it proposed to embrace in the inquiry all that was substantially requisite to meet the difficulty in which the inhabitants of Poole were alleged to be placed by this false election, it would exclude from the inquiry of the Committee all that was of a criminal nature, which was now before, and could only be properly decided by, a Court of Law. It would, he believed, be agreed on all sides that a

Committee of that House was a very bad tribunal of criminal justice. In a Committee, party feeling was sure to be excited; its Members might possibly not be cognizant of the law, and the witnesses examined before it were unsworn. It did not, he believed, appear that the parties had proceeded as fast as they could in the Court of King's Bench, for though they had got up affidavits, the Attorney-General did not move for the rule until the last day of Term. Nor was there any doubt that a Court of Law was perfectly competent to give redress in this case. If the election were bad, as stated, the parties could be removed under a *quo warranto,* and those who had been guilty of malversation duly punished. He therefore begged leave to move as an amendment, to leave out from the word "into" to the end of the Question, in order to add the words, "an alleged intention of the town-council of Poole to dispose of the property of the Corporation pending the trial of legal proceedings, questioning the right of the persons composing the town-council to act as town-councillors; and into the best and speediest means of preventing such disposal of the said property."

Mr. *Poulter*: Sir, I shall certainly resist this Amendment, because it offers in this most scandalous case, just no relief at all. I can assure the hon. and learned Gentleman opposite (Mr. Hogg) that I can quite understand that he has been but a short time acquainted with the nature of the case which he has just opened; from the total misconception of its whole character. He tells us we could get relief in a Court of Law. I tell him that a Court of Law cannot give adequate relief to the grievance of which we complain; but that for every redress and reparation which the Courts of Law in this country can administer, we have prayed;—we have prosecuted that remedy, we are pursuing it with every possible effort, and with all the speed that is consistent with the rules of the Court. But the hon. Gentleman is in a great mistake as to the character of those proceedings which we have instituted in a Court of Law; he does not seem to be aware that so early as the third day of last term an application was made for a new warrant against the councillors, so fraudulently elected; and that, when the Rule was made absolute, by the course of practice in the Court, it became impossible to give the notices, under which we could proceed to trial at the assizes now ensuing; it therefore was impossible to obtain any trial till Midsummer Assizes;—no judgment could be obtained till Michaelmas-term;—and by that time the councillors would have been out of office. But even if we could get rid of them this moment, I can prove to the hon. and learned Gentleman, it would be just no remedy at all! Those most fraudulently and wickedly elected councillors, would be perfectly indifferent to any thing that Courts of Law in this country can do against them, provided the Legislature would allow the parties to retain the ulterior consequences of the original fraud, which they have gained. Knowing that if we could get rid of their original appointment, we cannot by the rules of law get rid of its ulterior consequences; they would sa , "we will abandon to you the foundation, provided you will allow us to keep the superstructure;—if you will allow us to keep the fruits of our original fraud,—we care not what becomes of the *quo warrantos,*"—That is the argument they are acting upon, that is why we have no prospect of relief, and call upon the House for it. As this is a case in which no remedy can be applied, but that of the Legislature, so no constitutional principle can be an answer to my application:—the constitutional principle of not applying to the Legislature for that relief which you can gain from a Court of Law. You may, in some cases, be supposed therefore to doubt the justice of your case, inasmuch as you are claiming here what you could obtain, if your case were good, under Courts of Law. That is not the state of this case, Sir. Here, the only remedy which can be applied must commence in this House:—if therefore you wish to destroy and discourage such fraud, you are bound to give us this Committee. Nothing unconstitutional can arise from it. The whole of these proceedings were carried on in the grossest fraud: in both of the wards of this borough, the elections were carried on in a small room, under such circumstances as that it was impossible the election should be fair; the voters were not allowed to remain, but were removed by the constables after they had voted, and it was impossible to put the question expressly prescribed by the Act. In many instances the Mayor received papers closed up, put them into the box, and on them founded his scandalous fraudulent return; and so conscious was he of the fraud, that he had not the face to affix the number of voters to the names of the candidates, being, I will venture to say, the only instance in the whole country of such a circumstance occurring. And in such a case as this, are we not justified in saying, if you don't mean to refuse all redress, you must grant us this Committee?—What was the first proceeding of this council?—Why, in one day to confer twelve appointments on persons of the name of Slade, (that being the Mayor's name) and fraudulently and collusively to eject the town-clerk, a bosom friend of the Mayor, that he might put in his claim for compensation, to the amount of 7,000*l.*, for an office worth 20*l.* a year! I do say, Sir, that in order to institute an inquiry, and to prevent the alienation of the property of the town, the House is bound to grant the Committee.

Mr. *Scarlett* approved of the amendment much more than of the original motion. The subject did not properly belong to Parliament, it was one that a Court of Law alone should take cognizance of. It was true the Courts of Law could not remedy the offence really complained of, that this was a Conservative Corporation; but they could remedy the offences, if any, really committed. If the election was bad, the King's Bench could pronounce it void, so could it the nomination of aldermen; and the Court of Chancery could interfere with any alienation of property by the Corporation. The present line of proceeding was a novel and unconstitutional one, as it was tyranny on the part of Parliament to interfere with the rights of the Courts of Law.

The House divided on the original motion: Ayes 188; Noes 70:—Majority 118.

On the question that the Committee be named—

Mr. *Williams Wynn* expressed his surprise that the House of Commons should attempt to usurp the functions of the ordinary tribunals. Such an attempt—such a monstrous invasion on the privileges of the Bench, he in his whole Parliamentary experience never witnessed. He did endeavour in the present case to resist this most dangerous precedent. This was a case that was strictly one fit only for judicial investigation, and he (Mr. Wynn) entered his strongest protest against this decision, by which it seemed that political feelings, more than the justice of the case, determined the matter. He would not divide the House on the question, but he entered his solemn protest, as decidedly as he could, against the last decision, as being in itself an evil, and likely to lead, from the precedent it would form, to greater evils. He would recommend his friends to express their dissent from the last decision, but not to divide the House.

Committee appointed.

List of the AYES.

Adam, Sir C.
Aglionby, H.
Ainsworth, P.
Alston, R.
Anson, G.
Astley Sir J.
Attwood, T.
Bagshaw, J.
Baines, E.
Baldwin, H.
Ball, N.
Bannerman, A.
Baring, F.
Barry, G. S.
Bellew, F.
Bellew, Sir P.
Bentinck, Lord G.
Berkeley, F.
Berkeley, C.
Bernal, R.
Bewes, T.
Biddulph, R.
Bish, T.
Blake, M. J.
Blunt, Sir C.
Bodkin, J. J.
Bowring, Dr.
Brady, D. C.
Bridgman, H.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Browne, Rt. Hon. D.
Butler, P.
Buxton, F.
Byng, G. S.
Campbell, Sir J.
Cave, O.
Cavendish, C.
Chalmers, P.
Chichester, J.
Clayton, Sir W.
Clive, E. B.
Cockerell, Sir C.
Collier, J.
Crawford, W. S.
Crawley, S.
Crompton, S.
Curteis, H.
Dalmeny, Lord
D'Eyncourt, Right Hon. C. T.
Dillwyn, W.
Donkin, Sir R.
Duncombe, T.
Dundas, T.
Dundas, J.
Dunlop, C.
Elphinstone, H.
Etwall, R.
Evans, G.
Ewart, W.
Fergusson, C.
Finn, W. F.
Fitzroy, Lord C.
Fitzsimon, C.
Folkes, Sir W.
Forster, C. S.
Gaskell, D.
Gillon, W. D.
Gisborne, T.
Gordon, R.
Goring, H. D.
Grattan, H.
Grey, Sir G.
Grote, G.
Hall, B.
Harland, W. C.
Hawes, B.
Hawkins, J. H.
Hay, Sir A. L.
Heathcoat, J.
Hector, C. J.
Hindley, C.
Hodges, T. S.
Hodges, T.
Horsman, E.
Howard, E.
Howard, P.
Hume, J.
Jephson, C. D. O.
Jervis, J.
Kemp, T. R.
King, E. B.
Labouchere, Right Hon. H.
Lambton, H.
Leader, J. T.
Lefevre, S.
Lennard, B.
Lennox, Lord G.
Lennox, Lord A.
Lewis, D.
Lister, E. C.
Loch, J.
Lushington, C.
Macleod, R.
Mangles, J.
Marjoribanks, S.
Marshall, W.
Marsland, H.
Martin, T.
Maule, Fox.
Molesworth, Sir W.
Morpeth, Lord
Morrison, J.
Mostyn, E. M. S.
Mullins, F. W.
Murray, Right Hon. J. A.
O'Brien, W.
O'Connell, M. J.

O'Connell, M.
O'Connor, Don.
O'Ferrall, R. M.
Oliphant, L.
O'Loghlen, M.
Ord, W.
Oswald, J.
Parrott, J.
Pattison, J.
Pechell, G. R.
Pendarves, E. W. W.
Phillips, C.
Potter, R.
Power, J.
Poyntz, W. S.
Pryse, P.
Ramsbottom, J.
Rickford, W.
Roche, W.
Roche, D.
Roebuck, J. A.
Rolfe, Sir R.
Rundle, J.
Russell, Lord C.
Ruthven, E.
Sandford, A.
Scott, Sir E.
Sharpe, M.
Sheil, R. E.
Sheldon, E. R. C.
Sheppard, T.
Sinclair, Sir G.
Smith, R.
Smith, V.
Spry, Sir S.
Stanley, E.
Steuart, R.
Strutt, E.
Stuart, Lord, J.
Stuart, V.
Surrey, Lord.
Talbot, J.
Tancred, W.
Thompson, B.
Thomson, T. P.
Thornley, T.
Townley, R. G.
Trelawny, Sir W.
Troubridge, Sir T.
Tulk, C. A.
Turner, W.
Tynte, C.
Verney, Sir H.
Villiers, C. P.
Vivian, J. H.
Wakley, T.
Warburton, H.
Ward, H. G.
Westenra, J.
White, S.
Wigney, J. N.
Wilde, Mr. Sergeant,
Williams, W.
Williamson, Sir H.
Winnington, H.
Wood, M.
Woulfe, S.
Young, G.

TELLERS.

Poulter, J.
Ord, W.

List of the NOES.

Bailey, J.
Balfour, T.
Bateson, Sir R.
Blackstone, W. S.
Bolling, W.
Bonham, F. R.
Borthwick, B.
Bramston, J. W.
Brownrigg, J. S.
Bruen, H.
Burrell, Sir C.
Chisholm, A. W.
Clerk, Sir G.
Cole, A.
Cripps, J.
Dalbiac, Sir C.
Dunbar, G.
Eastnor, Lord
Egerton, W.
Elley, Sir J.
Elwes, J. P.
Estcourt, T.
Fancourt, C.
Fector, J. M.
Finch, G.
Fleming, J. W.
Forbes, W.
Freshfield, J. W:
Gaskell, J. M.
Gladstone, W.
Gladstone, T.
Glynne, Sir S.
Greisley, Sir R.
Grimstone, E.
Hale, R. B.
Halse, J.
Hardinge, Sir H.
Hardy, J.
Henniker, Lord
Hoy, B.
Jackson, D.
Jones, W.
Jones, T.
Knatchbull, Sir E.
Lefroy, A.
Lefroy, T.
Lincoln, Lord.
Longfield, J.
Lowther, J. H.
Mordaunt, Sir J.
O'Neil, J. B. R.
Parker, M.
Pemberton, T.
Perceval, A.
Plumptree, J. P.
Polhill, F.
Praed, J.
Rae, Sir W.
Rushbrooke, R.
Sibthorpe, C. D. W.
Somerset, Lord G.
Stanley, E.
Tennent, E.
Thomas, H.
Trevor, A.
Twiss, H.
Vere, Sir C.
Wyndham, W.
Wynn, W.

TELLERS.

Hogg, J. W.
Scarlett, R. C.

PAIRED OFF.

FOR.

Wilson, H.
Crawford, W.
Handley, H.
Musgrave, Sir R.
Fitzgibbon, Hon, R. H.
Westenra, Hon. H.
Phillps, G.
Mackenzie, Stewart
O'Connell, Maurice
Pelham, Hon. A.
Campbell, W. T.
Vivian, Major,
Codrington, Sir E.
Lemon, Sir C.
Denison, William
Williams, Sir J.
Robarts, A. W.
Philips, Mark
Rice, Rt. Hon. T. S.
Wilbraham, G.
Ebrington, Lord
Callaghan, D.
Price, Sir R.
Ponsonby, W.
Scholefield, J.

AGAINST.

Duffield, T.
Alsager, Captain
Walter, John
Wall, Baring
Chaplin, Colonel
Entwistle, J.
Pringle, A.
Price, R.
Maxwell, Henry
Castlereagh, Lord
Baring, Henry
Packe, C. W.
Codrington, C. B.
Trevor, Hon. Rice
Baring, Thomas
Dottin, A.
Smyth, Sir Henry
Marsland, Thomas
Pigott, R.
Stormont, Lord
Praed, William M.
Forester, Hon. C.
Bruce, C.
Calcraft, John
Williams, Robt., jun.

HOUSE OF LORDS,

Thursday, March 3, 1836.

MINUTES.] Petitions presented. By Lord HATHERTON, from Birmingham; and by the Marquess of WESTMINSTER, from Chester, for Poor-Laws to Ireland.—By Lord WYNFORD, from several Places, for Relief to the Agricultural Interest.—By Lords ELLENBOROUGH and ASHBURTON, from several Places, for Alterations in the Ecclesiastical Courts' Consolidating Bill.—By Lord ASHBURTON, from Thetford, for extending the time appointed for the payment of Loans borrowed under the Poor-Law Amendment Act for the Building of Workhouses.—By Lord VERNON, from Derby; and Lord FOLEY, from Worcester, for Relief to the Dissenters.—By the Duke of NEWCASTLE, from East Retford, against the Reduced Duty on Spirits made in Ireland,—By the Marquess of WESTMINSTER, from Llandillo, for an easier Method of recovering Small Debts.

BREACH OF PRIVILEGE.] Lord *Teynham* regretted being obliged, under any circumstances, to take up a moment of their Lordships' time upon a matter relating personally to so insignificant a person as himself, and the more especially when the object he had in view was his own defence; but as he felt that his allowing himself to be prevented by this regret from calling to their attention a breach of privilege, to which he had been subjected, he should not be doing his duty, either to his own honour or their Lordships' dignity, he had to trust, that he might stand excused for doing so for a very few minutes. Upon the discussion of the other evening, with reference to the conduct of the Brighton Magistrates, a noble Viscount was made to appear in one of the morning papers as having made a most personal and derogatory attack upon him. He knew not whether the noble Viscount to whom he alluded was now in his place or not, nor did he care whether he was or not. [The Earl of *Shaftesbury:* Wait till he comes.] He should not. It was quite immaterial to him whether the noble Viscount was present or not. The noble Viscount, forgetful of many kindnesses done by him to his family, had made upon him, as it appeared in the report to which he alluded, a most unwarrantable, gross, and unfounded attack, and he would be failing in the duty he owed to their Lordships individually, as well as to the respect he entertained for their privileges, if he did not formally bring it under their notice. His complaint was a breach of the privileges of the House committed by the *Morning Post* newspaper. That paper, notorious alone for the falsehood of every statement it put forth, had published a version of the noble Viscount's speech upon the discussion of the other evening, not only totally different from what he believed the noble Viscount had said, but in every word varying from the reports which appeared in the other morning papers. He knew well—

The Earl of *Shaftesbury* rose to order. He submitted that, in the absence of the noble Viscount to whom the noble Lord alluded, the present complaint ought not to be made.

Lord *Teynham* was again proceeding, when—

The Marquis of *Londonderry* again rose to order. The noble Viscount alluded to would, he had no doubt, be in his place presently, and he submitted it would be but decorous to wait for his presence.

Lord *Teynham* would wait the noble Viscount's appearance, on the understanding, that if he did not appear before the rising of the House he (Lord Teynham) should be at liberty to proceed with his complaint. [Shortly afterwards Viscount Strangford entered the House. The noble Lord then continued.] Seeing the noble Viscount in his place, he begged to proceed with the Motion on which he had been interrupted. As a preliminary step, he desired, with the permission of the House, to ask two questions of the noble Viscount. He wished, in the first place, to know if the noble Viscount meant to apply to him the observations which had appeared attached to his name in the *Morning Post* of yesterday, and which he understood had been supplied to that paper by the noble Viscount himself? He had understood the speech of the noble Viscount the other evening in a totally different sense from that conveyed by the report to which he alluded; and he begged, therefore, to ask, whether he was to take as the real sentiments of the noble Viscount his impression of his speech, or that which the report would convey? In other words, did the noble Viscount mean to apply the observations as they appeared in the *Morning Post* to him? [The noble Lord resumed his seat. A pause of a few minutes ensued.]

Lord *Teynham:* My Lords, I demand an answer to my question.

Lord *Kenyon* rose to order. The noble Lord was doing that which was most irregular. Whatever the observations of the noble Viscount might have been, they were made in the presence of the noble Lord: had they been in any degree personal or insulting to the noble Lord's feelings, they should have been at once noticed by him. Certainly a more irregular question could not be put than that of asking a noble Lord to state whether a certain report, which appeared in a newspaper, was true or false. If their Lordships were desirous of preserving the order of their proceedings, they should not sanction the continuance of the present discussion.

Lord *Teynham* thought that when the character of a Member of that House was most grossly and wantonly attacked, the utmost latitude should be given in the interpretation of its orders. When the noble Viscount spoke the other evening, he (Lord Teynham) either did not perfectly hear him, or totally misunderstood the nature of his remarks. He thought it was due to him (Lord Teynham) as to their Lordships that he should be permitted to put his question and that the noble Viscount should be called upon to answer it. [The noble Lord again resumed his seat.]

The Marquess of *Westminster* rose to present a petition.

Lord *Teynham* asked if he was not to have an answer to his question?

Lord *Ellenborough* observed, that the noble Lord's proceeding was quite out of order. It was specifically stated in the regulations of the House, that no noble Lord should require any explanation from another except for words spoken in debate; and that even in such case the explanation should be required on the moment.

Lord *Teynham* would have demanded an explanation upon the moment, but that he did not understand the observations of the noble Viscount. They were, in the first place, too diplomatic for his comprehension; and, in the second, he could not have thought that an attack upon his character would have proceeded from such a source.

The Marquess of *Salisbury* rose to order. Some stop should at once be put to the irregular discussion which had arisen.

Lord *Teynham,* notwithstanding the call to order, would persevere in putting the question. Once more he asked of the noble Viscount, if the uncalled-for, false, and scandalous speech—[*" Order, order."*]

Viscount *Melbourne* rose.—It was obvious to all, that unless some degree of order was preserved, and some attention paid to the rules of debate, it would be quite impossible for the House to proceed in the discharge of the public duties allotted to it. There could be no question but that the noble Lord was perfectly irregular in referring to observations made during a former debate. The very object of the regulation which had been alluded to was, the prevention of such irregular discussions as that which had been commenced. He, therefore, hoped the noble Lord would see the propriety of withdrawing his question.

Lord *Teynham:* After the speech of the noble Viscount, he begged to say he felt completely satisfied, and should not trouble the House any further. He regretted that so unworthy a Member of the House as himself should have taken up even so much of their Lordships time upon the matter.

The matter dropped.

Orange Lodges.] Upon the Order of the Day for the Motion of the Marquess of Londonderry, relative to Orange Lodges, having being read,

The Earl of *Winchilsea* rose to request of his noble Friend the postponement of the motion until to-morrow evening. He did so in consequence of the continued absence of a noble Earl (the Earl of Roden), who was extremely anxious to be present upon the debate, and who was expected to arrive early to-morrow.

The Marquess of *Londonderry* felt considerably embarrassed by the request of his noble Friend, whom he was very anxious to oblige; but being placed in a very awkward position, it would be with great regret that he consented to the postponement of the motion. When he first gave notice of his intention of bringing under their Lordships' consideration the Report of the Select Committee of the House of Commons upon Orange Lodges, he did so solely with the view of refuting the strong personal allusions which had been made upon his conduct in connexion with that subject; and feeling naturally most anxious to get rid of the pain which those dark and cunning insinuations had given him, he should regret that even twenty-four hours more should pass over without his having an opportunity to call their Lordships' attention to the subject. He thought it would be very practicable, without entering upon the general subject of Orange Lodges, at once to proceed with his contradiction of the allegations made in the other House; and therefore, unless it was the opinion of their Lordships generally, that he ought to wait, he would beg to make his statement, reserving, however, all discussion on the general question to a future occasion. A considerable time had now elapsed since he first gave notice of the motion, and he therefore thought he should not be guilty of any disrespect to the noble Earl if he proceeded. He was, however, in the hands of the House, and would bow to their decision.

The Earl of *Winchilsea* observed that he had not held any communication with the noble Earl to whom he alluded, and that he only sought for the postponement upon the ground that the intimate connexion existing between the noble Earl who was absent (Earl of Roden), and the institutions in question, would enable him to undertake their defence with more knowledge of the subject than any then present.

The Duke of *Cumberland* was most anxious the present discussion should take place as soon as possible; but what had fallen from the noble Earl (Earl of Winchilsea), and taking into consideration the connexion which had subsisted between the noble Earl (Earl of Roden) and the late constitutional and loyal associations, called the Orange Lodges of Ireland, he thought it would be better that his noble Friend should wait until he was present.

The Marquess of *Londonderry* thought it but right to observe, that when he first gave notice of his motion he distinctly stated that his only reason for not proceeding with it immediately, was the noble Earl in question's absence. He certainly expected that ere this, the noble Earl would have managed to have been in his place. He could not, he regretted, give way to an individual request, but should the House be in favour of a postponement, he should at once bow to it.

Viscount *Melbourne* thought, that if the noble Earl was to be in his place to-morrow it might be better to postpone the motion. If any attack had been made on the noble Marquess in another place, (and he was ignorant of any such attack) surely, it could make little matter whether it was answered then or twenty-fours hence.

The Marquess of *Londonderry:* in order to prevent the impossibility of another postponement, in consequence of his absence, he would at once name Monday next for his motion.

Motion postponed till Monday.

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HOUSE OF COMMONS,

Thursday, March 3, 1836.

Minutes.] New Writ. On the Motion of the Lord Advocate, for Paisley, in the room of Mr. Alexander Graham Spiers, who has accepted of the Chiltern Hundreds.

Bills. Read a third time:—On the Motion of Mr. Ayshford Sanford:—Slaves Compensation; Capital Punishments.

Petitions presented. By Mr. Hume, from Limekilns, against part of the Charges payable by British Shipping at St. Petersburgh.—By Mr. Wilks, from Tamworth and Wareham, for Relief to the Dissenters; from Boston, Preston, and other Places, in favour of Mr. Buckingham's Claim.—By Captain Pechell, from several Places, against the Land-tax; from the Licenced Victuallers of several Places in Sussex; and by Mr. Jervis, from those of Chester, against the Additional Duty on Spirit Licences.—By Mr. J. C. Dundas, from York, for Corporation and Church Reform to Ireland, against Tithes, Church Rates, and against Military Flogging, and in favour of Relief to the Dissenters, of Ballot and Household Suffrage, extensive Law Reform, and equally extensive Church Reform.—By Mr. T. B. Lennard, from Essex, Loughton, and Castlegate, for Relief to the Dissenters.—By Sir Henry Smythe and Mr. Branston, from four Places,—for Relief to the Agricultural Interest.—By Mr. Sharman Crawford, from Belfast, in favour of Mr. Buckingham's Claim; from several Places, against Tithes.—By Mr. Bernal, Sir G. Strickland, Messrs. Daniel Gaskell, Robinson, and Wilks, from a Number of Places,—against the Additional Duty on Spirit Licenses.—By Sir Ronald Ferguson, from Nottingham, for Relief to the Dissenters; also for an Alteration in the Municipal Corporations' Act.—By Captain Gordon, from Aberdeen, for the Repeal of the Attornies Tax; also against any Alteration in the Timber Duties.

Timber Duties.] Mr. *Robinson* presented a petition, signed by several hundreds of the principal inhabitants of Nova Scotia, who stated, that they had heard with alarm the proposed alteration of the scale of duties on Timber. The ostensible object of the alteration was for the benefit of persons engaged in the timber trade; but, judging from the evidence that had been offered before the Select Committee on Timber Duties, he was of opinion that no such result would be produced. If the President of the Board of Trade had been present, it had been his intention to complain of the long state of suspense in which the colonies had been kept with respect to the intentions of the Government. Some allusion had been made on a previous evening to what had been said at a meeting of shipowners where he was present, attributing certain expressions of opinion to an hon. Gentleman also present, with respect to the intentions of Government to delay the measure in contemplation until late in the Session, and then to pass it in a thin House. No such thing was said, nor did he believe that any such attempt would be made. But this was said, and in this he concurred, that Government should bring forward their measure at the earliest possible opportunity, in order to give leisure to professional persons interested in the subject to direct their attention to its investigation. He trusted, that whatever the measure might be, it would not be founded upon partial evidence; but that the whole of the evidence taken before the Committee would be made its foundation. With respect to that evidence, since his experience in Parliament, he never knew of such extraordinary delay in the delivery of the Report of a Committee. The evidence was complete in August, and it was not till the following January that the Report was delivered. Had the Report not been allowed to remain during all this period in the printer's hands, the leisure of the recess might have been employed by Members in attending to its recommendations, and the colonies might have become acquainted with that which so deeply affected their interests. Had not his hon. Friend the Member for Teignmouth (Mr. G. F. Young), a motion in a specific shape on the subject of the timber duties on the Orders of that House, he should have thought it his duty to inquire into the cause of so apparently unaccountable a delay; but as that was the case he should refrain from further remarks until opportunity was afforded him on the occasion of the discussion on that motion.

Mr. *Roebuck* said, that the colonies would not be affected by any alteration in the timber duties, which would have the effect of lessening or abolishing them altogether. He had full authority from one of the largest of the Colonies concerned in the timber trade (Canada) to say, that it was their wish that the duties on foreign timber should be entirely done away with.

Mr. *George F. Young* complained, that when, on a former evening, he wished to know what was the nature of the negotiations pending with some of the northern powers upon this subject, his question was ingeniously evaded by a reply from the right hon. the President of the Board of Trade, that because the negotiations were still pending they ought not to be disclosed. He was, however, anxious that the nature of these negotiations should be made known, for it might turn out that the very thing was intended which those connected with the timber trade wished to have avoided. He should take every opportunity of calling the attention of the House to this subject until it was satisfactorily arranged.

Lord *Sandon* said, that the hon. Member for Bath must have been under a mistake, when he said he had the authority of the colony of the Canadas for his assertion. The hon. Member might, no doubt, be in possession of the authority of the Lower House to that effect; but the Lower House was generally composed of merchants and persons resident in towns, having no particular interest in the trade in timber. It was otherwise with the proprietors of timber land, who formed a large proportion of the population of the Upper Province; and he was able to state that they were, almost without exception, deeply opposed to it.

Petition laid on the Table.

SIR FREDERICK STOVEN.] On the Report of the Committee on the Constabulary Force (Ireland) Bill having been brought up,

Sir *Robert Bateson*, seeing the noble Lord, the Secretary for Ireland, in his place, wished to ask a question relating to the statement made by him (Sir Robert Bateson) on a former night, when this Bill was before the House. Hon. Members were aware, that he made an assertion to the effect that an officer in the police had communicated to him a circumstance which showed the wish of the Government to make the Police Force in Ireland a political body. But he refused, when taunted by Gentlemen opposite, to state the name of his informant, and he now wished to know if what he had heard from Ireland was true—namely that circular letters had been addressed by Government to every police officer in Ulster, requiring to know whether any of them had communicated with him (Sir Robert Bateson) on the subject.

Viscount *Morpeth* could tell the hon. Baronet that no such circular letters were, so far as he knew, addressed to the police officers. With respect to the charge brought on a former evening against Sir Frederick Stoven, he could say, that Sir Frederick had been applied to, and Government had received such an answer as would enable them fully to refute the insinuations against his conduct. He was convinced that there existed no foundation whatever for the hon. Baronet's charges. He would take another opportunity of stating fully to the House what he considered a complete vindication of Sir Frederick Stoven's conduct.

Sir *Robert Bateson* said, there was no need for Government to go to expense in sending those circular letters. He was willing to state the name of the gentleman upon whose authority he made the assertion, and was on the night he made it ready to do so, but he did not think it right to yield that information to the ironical cheers with which he was assailed from the other side. His informant was Mr. Somerset Curry, and he hoped this person would not have to contend with the vengeance of the Irish Government, or of the party which directed their entire proceedings.

Viscount *Morpeth* would not notice the observation of the hon. Baronet respecting the vengeance of the Irish Government. All he would say was, that when the proper time arrived he could show that his charges against Sir Frederick Stoven were altogether unfounded.

Subject dropped.

THE DORCHESTER LABOURERS.] Mr. *Roebuck* begged to ask the hon. Member for Finsbury, whether he intended to renew his Motion relative to a remission of the sentence passed on the Dorchester labourers, now that Orange Lodges and secret societies were suppressed?

Mr. *Wakley* would be glad to have a few days to consider what course he should adopt. In the course of the discussion upon that subject the noble Lord (Lord John Russell), the Secretary of State for the Home Department, had stated that the question was likely to be satisfactorily set at rest; and, from the amicable feeling that then existed, he did not think that it would be necessary to renew his Motion. (He Mr. Wakley) trusted that the course which the Government would adopt on this question would render it unnecessary for him to renew his Motion.

Lord *John Russell* was able to say, that since the discussion that had taken place in that House, he had thought it his duty to recommend to his Majesty that two of the Dorchester labourers should have a part of their sentence commuted. He had already stated that four out of the six had been permitted to return at the end of two years, which would terminate in October of the present year; and he had felt it his duty to recommend to his Majesty that the remaining two should return at the end of three years, which his Majesty had been pleased to direct. He did not think that anything had since occurred which would induce him to recommend a further remission of the sentence which had been passed upon these persons.

Poor Rate and Highway Bill.] Mr. *Poulett Scrope* moved for leave to bring in a Bill to provide for the levy of the Poor-rate and Highway-rate in all the parishes of England and Wales upon a uniform system of valuation and assessment. There existed great discrepancies, as every body knew, in the valuation not alone of different districts and boroughs, but also between the valuations in different parishes of the same district and borough. He would read several extracts from the Reports of the Poor-Law Commissioners, in order to prove the correctness of his assertion. He might be asked what was the cause of these discrepancies, and the consequent injustice they entailed upon some portions of the population of the country; but he did not know, unless it were the system of jockeying which took place between parish and parish. To remedy these evils, he proposed two simple enactments in the measure he prayed for leave to introduce to the House. The first was, that the poor-rate and highway rates should be levied on the real, and not on the assumed, value of property. The second, that there should be a primary appeal allowed to the Bench of Magistrates at Petty Sessions, which should be held several times a year for that purpose. He did not think that the new valuation would require any great expense to effect it, and he was certain it would be productive of the happiest results to all concerned. There would no longer be the inconvenience and injustice resulting from arbitrary and incongruous levies on the parishioners, nor would there be any continuance of that petty and harassing legislation, and appeals to Quarter Sessions which now prevailed. The overseers would speedily and effectively arrange all these matters, by acting on the principle of equal assessment, embodied in the Bill which he now begged leave to bring in.

Captain *Pechell* denied the evil effects which the hon. Member attributed to the working of the present system, and appealed to the state of the county of Sussex for the sufficiency of the present mode of valuation when properly acted on.

Lord *John Russell* thought, that great advantage was likely to be derived from the Bill. At the same time he must say, that he contemplated some difficulties as likely to arise in making estimates of the real value of property by the local authorities, and he could not, in consequence, pledge himself to give it his unqualified sanction; but he trusted no opposition would be offered in the present stage.

Sir *Robert Peel* called the attention of the House to one of the most serious consequences of the existing mode of levying parish-rates. The hon. Mover had, with much justice, complained of the great inequality of assessments amongst parishioners, and also stated the anomaly existing between separate parishes in the same county, some being assessed at three-fifths of the entire value, some four-fifths, and some at the whole value. This perhaps would signify little between individuals of the same parish, if they were fairly assessed by any fractional amount deemed necessary, whatever it was; but it might be very material to the same individuals and the parish at large, when their rates were compared with other parishes, as a rule for the exercise of other than mere parochial privileges. He would beg to ask the noble Lord, whether under the Municipal Corporations' Act the qualifications of those who claimed to vote for Councillors were estimated at the real value of their houses or interest therein, or at the amount of the actual rate paid? Whether, for instance (the amount of the qualification to vote for a councillor being

15*l.*), it would suffice to have paid the parochial and nominal rate of two-thirds—that is, 10*l.*—to so entitle him? His opinion was, that whatever the real value actually was found to be, they ought to allow the parishioner the benefit of it in exercising his right to vote as a corporator, otherwise the most wide-spread injustice would inevitably ensue from the various and arbitrary modes of nominal valuation adopted throughout the country.

Lord *John Russell* said, that this objection had struck him at the time, and he had felt some difficulty as to the working of the Bill on account of it. He had in consequence subsequently referred the point to the Law Officers of the Crown, and their decision was, that the Bill must be interpreted to refer to the amount of the actual value paid by the individual as appeared on the books, and not the real value of the house or property out of which they voted. He himself thought that this construction of the law threw a great hardship on the inhabitants who happened to be assessed nominally lower than their neighbours of an adjoining parish. But in the Bill now before the House it was proposed, as a better remedy than meddling with the Municipal Corporation Bill, to take steps to attain the real value of property in parishes, and the real amount a man was entitled to vote for, and thus all existing anomaly and injustice would be effectually done away with.

Mr. *Baines* advocated the justice and expediency of the measure. He knew parishes where the rate was only one-eighth of the real value. A man residing therein would require to be possessed of eight times the value of property of another in a neighbouring parish, where the entire amount of property was assessed, to enable him to vote on an equality in corporate affairs.

Leave was given to bring in the Bill.

COUNTY BOARDS (IRELAND).] Sir *Richard Musgrave* said, it was his intention to move for leave to bring in a Bill for establishing County Boards in Ireland. His principal object in doing so was to afford increased employment for ablebodied labourers. He agreed with other hon. Members in thinking that employment for the able-bodied poor was full as necessary as relief for the helpless poor, and therefore he hoped to obtain leave to introduce the measure he had brought before the House. It was a separate measure, for men best acquainted with Ireland were of opinion that the question of employment ought to be treated separately. Under the English law, indeed, both of these subjects were included in one Act. It was found that the inferior food and strict discipline of the workhouse compelled labourers to seek for employment elsewhere. But such a system could not apply to the state of Ireland; for there the labourer was already reduced to food of the lowest description, and the want of employment was so great that in too many instances the labourer was idle during great part of the year. It was, therefore, most prudent to provide employment, instead of giving the able-bodied labourer a claim for relief in the first instance. Many plans had been proposed for the cultivation of waste lands, the establishment of poor colonies, and for other purposes. Whether these were profitable speculations remained to be proved. To him it appeared safer and more useful to improve existing institutions for carrying on public works, and thus to extend the demand for labour. Where good communications had been opened through waste lands, improvement and cultivation had almost invariably been extended by private enterprise to every species of soil capable of yielding a profitable return. He proposed, then, in the first instance, to substitute County Boards for Grand Juries for local taxation. In doing so, it was not his intention to deprive gentlemen of property of that control which they ought to exercise over county taxation. Under this Bill men of property would form the County Board. He did not seek for any violent change, for he was too sensible of the value of such local institutions. He believed that without them the affairs of any country could not be properly administered. Similar local institutions had for a long period existed in Holland and in other countries, and the best Dutch writers had attributed the wealth of Holland principally to these institutions. But he was anxious to apply the principle of representation to these bodies, and public opinion was decidedly favourable to such a change. From long experience he was well acquainted with the operation of the Grand Jury laws. But still he would not have ventured to undertake the difficult task resulting from the present motion if he had not been enabled to take advantage of the labours of two friends of his, who brought to the subject great legal knowledge and great experience in the affairs of Ireland. He alluded to Mr. George Harrison, of Lincoln's Inn, and to a relative of his own, by whom this Bill had been drawn up. The principal clauses had been printed and distributed some years since, and every useful suggestion was respectfully attended to. After all means had been adopted in order to render the measure unobjectionable, the Bill had been completed, and last Session had been read a first time and printed, by order of the House. This course of proceeding was not only calculated to produce an useful measure, but was also respectful as regarded that House. The power of nominating the Grand Jury, as exercised by the High Sheriff, was most objectionable. It was an anomaly at variance with the first principles of the British Constitution, which did not allow that any individual should exercise such a degree of control over public taxation. There was, indeed, an appeal to a Petit Jury from the decision of the Grand Jury; but the party traversing must employ counsel, agent, and witnesses, at the assizes, and cannot, even if he succeed, recover any part of the expense which he thus incurs. So various, too, are the views taken by petty juries of the utility of public works, that this tribunal is very uncertain and unsatisfactory. To give the High Sheriff, in the first instance, the unjustifiable power of nomination, and then to endeavour to correct this evil by an appeal to a Petit Jury, appeared to be a very unwise administration of public works. The Bill proposed, then, that the entire power and duty of taxation for local public purposes, be vested exclusively in a County Board, to be elected by the rate-payers. The rate-payers are to meet in each barony, in order to elect a certain number of persons. Out of the entire number so elected in all the baronies, the High Sheriff is to select the County Board. The County Board is to consist of not more than sixty nor less than thirty members; and is to continue in office for twelve months, until the succeeding Board is appointed. The members of this body are to possess a certain qualification. At their first meeting the County Board is to appoint a Committee of Superintendence, for superintending all public works and establishments within the county. The members of this Committee are to sit and vote with the Magistrates at Special Sessions, and their powers and duties in other respects are defined by this Bill. At present, certain rate-payers sit and vote with the Magistrates at Sessions, by which provision it was evidently intended to establish a check on the decision of the Grand Jury. But Grand Juries have so construed the law that they now often actually select the rate-payers from amongst their own friends and tenants. To substitute the Committee of Superintendence for these rate-payers will, I trust, appear to be an improvement. The Chairman of the County Board is to be an officer appointed by Government. In Ireland the Chairman of the Quarter-Sessions is a barrister, nominated by the Crown, and the greatest public benefit has resulted from this regulation. It is necessary, on every account, but particularly if public works are to be extended, that the Chairman of the County Board should, by his legal knowledge, be able to guide that body in the discharge of their duty. The foreman, as the law is now administered, is too often appointed without any regard to his being qualified by knowledge of the statutes under which he is to act, and the results are great delay and public loss in transacting the business of the Grand Jury. All applications for public works are to go before the Special Sessions, as at present, for investigation. A report of the proceedings of these Sessions, with all papers and documents, is to be transmitted for final decision to the County Board. The laws relating to the civil duties of Grand Juries are so numerous and so intricate, that some of the most eminent counsel in Ireland will not venture to give an opinion on matters connected with these statutes, unless the particular section and chapter be pointed out by the solicitor who consults them. It is not surprising, therefore, that Grand Juries should not readily comprehend such complicated laws. The last Grand Jury Act requires that the particular section, authorising a presentment, should be cited in each application. Any person who has attended Special Sessions must know how difficult it is to comply with this provision—to select the proper sections amongst a hundred Acts, containing clauses without any arrangement or order of succession, and relating to a vast variety of subjects. The result of such a state of law is, that many gentlemen are deterred altogether from attending Sessions, and many important public works are obstructed or prevented from being executed. A distressed population is thus deprived of employment, and is forced to seek relief in England and in other countries. By the Bill which he proposed to introduce, the provisions of this confused mass of laws were consolidated, and various amendments were introduced, and the entire was written in plain, intelligible language. This, he trusted, would be found to be an useful improvement. The Board is to appoint a bank for the receipt of the taxes; and thus losses from the insolvency of treasurers would be avoided. An alteration is proposed in the collection and appointment of county rates, by which the landlord is made liable to a certain portion of these taxes. This provision is in accord with a recommendation of the Committee of 1830. The landlord, as Grand Juror, exercises the power of settling the amount of tax to be paid by his tenant in effecting permanent improvements in the way of public works. After a short lease the landlord can step in and take advantage of his tenant's expenditure. Of late years county rates have risen greatly in amount. In Waterford, within the recollection of many persons, the rates have risen from 8*l.* or 10*l.* to 15*l.*, 20*l.*, and even 25*l.* per ploughland. This rise has certainly been accompanied with great improvement in the roads and public works. But it is unjust and unmerciful to lay the entire burden of expense on the rack-rented tenantry. In taking a lease no tenant could have expected such a rise in the amount of county rates. In order to remedy this injustice, the Bill proposes that when a valuation has taken place, the county treasurer shall in his warrant state the poundage on the annual value payable by each denomination of land. And then every party having paid rates directly or indirectly, may, out of the rent next payable by such party for the same property, make a deduction not exceeding 3*s.* 4*d.* of such poundage, on the annual rent thus payable, as shall have been used for ascertaining the rates in consequence whereof the deduction shall be claimed. Suppose the occupier's tenement is valued at 100*l.* per annum, and his rent be also 100*l.* If he pays a poundage of 1*s.* rate, he can deduct a poundage of 9*d.* from 100*l.* rents; that is to say, if he pays 5*l.* he can deduct 3*l.* 15*s.* from the next rent payable by him. But suppose that a tenant, having a holding valued at 100*l.*, pays a rent of only 20*l.*, and that his county rate is a poundage of 1*s.* on the value of his farm, he can deduct a poundage of 9*d.* on the 20*l.* rent; that is to say, he pays 5*l.* rate, but he can deduct from his landlord only 15*s.* The clause is so drawn that, under it, every person will pay rates in proportion to his interest in land. A considerable portion of the Bill relates to the mode of obtaining compensation for land taken or injured for public purposes. In England the amount of compensation is at once ascertained by the verdict of a Jury; but in Ireland the owner of land can only obtain compensation by entering a traverse to the presentment of the Grand Jury. The traverse is then tried at the Assizes, and the amount of compensation settled by a Petit Jury; the costs of this proceeding are paid by the tenant, who has to employ counsel and agents, and to send forward witnesses at his own expense. He had known occupiers to lose a considerable portion of their land in consequence of a new road being made through the best part of their farms without receiving any compensation whatsoever. The costs of proceeding would probably exceed the amount of compensation, and they were thus deterred from obtaining justice. As a remedy, it is proposed that the Committee of Superintendence may settle the amount of compensation by agreement with the owner. If the owner refuses the amount offered, the compensation is to be determined by a Jury, as in England. If the Jury award a smaller sum than that offered by the Committee, the costs of the verdict are to be deducted from the amount of compensation, but otherwise they are to be paid by the County Board. By another part of the Bill it is proposed to give the County Board power to determine what tolls are are to be taken or paid for the use of any public work executed by a contractor. Under the Grand Jury Laws, at present, the Grand Jury possessed a power of settling the amount of tolls in certain cases, and the Bill proposed an extension of these powers to be exercised by the County Board. He had endeavoured to explain the principal clauses of the Bill; and he believed it was not necessary to enter nto a more lengthened detail on the present occasion. The other clauses could be more readily understood when the Bill was printed. The schedules contained numerous forms suited to the various provisions to which they referred. The forms in particular relating to the conveyance of lands, would be found to be useful and sufficient. He would now move for "leave to bring in a Bill for the administration of certain civil affairs of a local nature by County Boards in Ireland."

Mr. *Wyse* rose with peculiar pleasure to second the motion of his hon. Friend. From the first moment he had held a seat in that House he had never ceased, whenever the opportunity occurred, to impress upon the Legislature and the Government the necessity of a radical re-organization of the whole local taxing machinery of Ireland. So early as 1831, in resolutions read to the House, he had strongly pressed upon the noble Lord opposite (Lord Stanley), then engaged in a reform of the grand jury laws, the imperative duty of the government to look into the source of the evils of which all complained, and to substitute representative for the nominated irresponsible bodies which governed the contributions of the people. He had then proposed county boards, acting in conjunction, and under the superintendance of a general board of administration in Dublin, and that again with a committee on Irish affairs of the House of Commons, and charged not only with the local management of public works, but also of charters and education. The government of that day preferred patching up the old system, with the short-sighted policy of most of our governments, to going largely and boldly, like true statesmen, into the whole question. The result then prophesied has since come to pass: the measure, ill-devised, ill-arranged, resting on principles false and unjust, and acting by machinery the most heterogeneous and opposed, has only added new abuses to the old, and rendered reform more than ever necessary. Honourable Members on the other side of the House have a horror of local institutions; they would centralize every thing, draw every thing to the capital, leave heart alone, and deprive the members of all right and power of action in the community. Centralization was sometimes, and, to a certain extent, necessary. It cherished, directed, gave energy, intelligence, and uniformity to administration in every part of a state. But it should not be pushed too far—it should not absorb—it should only have its proper share, and no more, in the system. Local government was not less requisite; and any statesman who thought it expedient to exclude it from his plan, only proved that he was grossly ignorant of the first principles not of liberty only, but of policy, and condemned his own awkwardness and incompetency, rather than proved any disqualification in the country itself. After the speeches heard from the opposite Benches a few nights back, he supposed the remedy proposed by hon. Members for the abuses of Grand Juries would be to annihilate them at once. This would be only consistent; but such hints had never been heard. All parties, whether they thought towns entitled to the management of their own affairs or not, admitted that counties ought to have that power. Grand Juries had always, as an institution, been supported in that House. The question then was not, whether there should be local management, but by what manner and by what bodies it should be exercised. He (Mr. W.) admired the English Constitution, not as a shadow, but as a reality. The principle of that Constitution was, that no man should be taxed but by his own consent. If this were not the principle, then the whole of our Revolution was a rebellion, Hampden a traitor, and this House of Commons an usurpation. If true in one case, why should it be false in another? If the King could not exact sixpence from his poorest subject without the consent of the people, through their representatives, with what consistency could a Grand Jury, the creature of a High Sheriff, he again the creature of the Crown, pretend to such a power? Was there one constitution for the payer of the King's excise, and another for the payer of the Grand Jury tax? Were they not all British subjects, and all entitled to true British rights? This monstrous grievance had been felt, and checks found necessary; but they were checks, not concessions. The noble Lord, who detests every form of election, recurred to every expedient to avoid it. What was his Grand Jury law? He left the Grand Jurors to be chosen, as of old, by the Sheriff, and then brings in the rate-payers in person to check them. The result was obvious. The two elements, instead of mingling, came into collision; the old predilections of Grand Jurors remain, and the rate payers, but partially instructed, are left with their ignorance to fight them out. It is prejudice against pretension, and narrow views against selfish ones. The rate-payer would allow his hedges to tumble, and his roads to become impassable, rather than give sixpence additional tax. This would have been obviated at once by election. The right of the rate-payer would have been preserved, and the working and intelligent men of the country would be those who would ultimately have to decide. What then do I propose should be substituted to this crude effort at legislation? That the Grand Juries should be elected? By no means. Grand Juries are judicial bodies—they should no more be elected than Petit Juries—than Judges themselves. They are emanations from the Crown, and it is right their nomination should rest in its hands. But it is not right they should have the rights they have. Their present powers were gradual usurpations, sanctioned indeed by the law—but who were the law makers?—Grand Jurors themselves. They were deemed the fortresses of the aristocracy and the ascendancy, as against the people and Popery; no privilege too exclusive, no power too exorbitant, could be confided to such hands. But this was still tyranny, however it might be useful to the temporary purposes of a party. They should be stripped of those powers, and brought back again to their simple judicial state. But to whom should they be transferred? Not to the Crown, but to the party to whom they strictly belonged—the people. The people who paid the taxes had a right to manage those—consent to, and control these taxes. This could not be done in mass; it could only be effected through a representative body—that body was the County Board. What were the objections against such an institution? Did they fear the result of frequent elections? It had been found that the very frequency dulled their effect. The elections for fever-hospital, library, and other committees, did not produce the tumult and dissension apprehended. If dread existed, let the elections be rare—let them be tried at first every five years. Was the influence of demagogues on popular passions a subject of fear? Let there be a qualification of residence and property, as for Members of Parliament, and Magistrates at Road Sessions. Were popular ignorance and discontent likely to produce injurious effects in their selection of members? Why, then, intrust them with the choice of Members of Parliament? Were the affairs discussed in this House, and decided, too, of less moment than those likely to engage the attention of a County Board? Talk, indeed, of discontent. A more certain mode of satisfying a country than allowing it to busy itself about its own affairs could not be devised. Why, the very reason there was so much political agitation was precisely because the people were thrown upon it by their rulers—because they were not allowed by their present institutions to discuss their own affairs at home. He (Mr. W.), for one, did not fear enlarging in this particular the powers and functions of the people; he thought they could scarcely be enlarged enough. He would give to this Board the whole administration of its charities, works, and education, and divide it into three Sections or Committees, who should have their permanent Sub-committees, as Grand Juries now have their Committees of Superintendents of Gsols, &c., who act during the interval from one sitting to the other. The Grand Jury is a fleeting and irresponsible body—this would be a permanent and a responsible one. It would be an excellent school for training to public business, whether in the quality of elector, candidate or public functionary. It would suppress suspicion, and what the people contributed would be contributed cheerfully. It would eventually be by their own vote. But there are considerations which seem scarcely to be felt, or even understood, in this House. When almost every other country has adopted similar institutions—whilst it is well known they flourish under all Governments—whilst they are to be found in Denmark, and Austria, and Russia, as well as France, Belgium &c., we affect to consider them as visionary follies of Radicalism, without philosophy or experience to vouch for their utility. Within this very last year they have been granted, in the form of provincial councils, by Austria to her lowland Venetian subjects; and they have done more to assuage that feeling of bitter hostility than even the introduction of her education system itself. But this House, with its usual *amour-propre*, disdains to read such lessons, and looks only to itself. Be it so. It is a consolation to the advocates of this measure to find that even since last year, it has made immense progress, and despite of the ignorance of many and the apathy of more—

despite of the anti-constitutional principles of the opposite Members, and the still more censurable inconsistency of Members on this side—from which blame he was far from excluding Ministers themselves—the time was fast approaching when it would be the law, not of Ireland only, but of every part of the British empire.

Viscount *Morpeth* doubted whether the Legislature was prepared to adopt so sweeping an alteration in the system of Grand-Jury Laws as the present Bill proposed. Without pledging himself, however, either to the principle of the Bill, or any of its details, he would offer no opposition to the hon. Member's embodying his suggestions in the Bill, which he proposed to lay before the House.

Leave was given to bring in the Bill.—

ERRORS IN THE VOTES.] Mr *Scarlett* begged before the business was proceeded with any further to call the attention of the House to a circumstance of unusual occurrence, and which in his opinion, demanded immediate attention. It was as the House knew, the custom every morning to send round printed papers to the Members containing the business of the preceding day, as well as the notices of motions that were to come on. He held in his hand two separate printed papers of that description, each signed by the Speaker, each purporting to be the votes of the preceding evening, one of which contained two more notices of motions than the other, there being eighteen notices in one, and twenty in the second. He begged to draw the attention of the House to this circumstance, and to ask the right hon. Gentleman in the Chair which of them he was to consider as the authentic paper containing the votes. His reason for pressing the question at that moment was because he observed in one of the papers of votes a notice of motion respecting the divisions of the House by the hon. Member for St. Alban's, which he did not understand had been given by him.

The *Speaker* observed, that as far as he was concerned the circumstance to which the hon. Member alluded arose from the two notices contained in the paper of votes of twenty were given at so late a period of the evening that he did not clearly understand until afterwards that they had been given, and the consequence was that a second paper of votes was printed and circulated in order to correct this error.

COMMITTEES OF THE HOUSE.] Mr. *Hume* brought forward a Motion of which he had given notice, for a better system of appointing Committees of the House upon private Bills. He said that, according to the mode at present adopted, it was quite impossible that the business before the Committees could be properly done. He considered that fifteen was too large a number to have on a Committee; and he thought that nine, or eleven at most, would be a more useful and convenient number. It was utterly impossible that Members who were appointed on several Committees could do the business properly. He was himself named on twelve Committees; and how could he, by any exertion, be in twelve places at once? It was monstrous to expect that he could. He should therefore move, "that every private Bill hereafter committed by the House to a Committee shall be committed to a Select Committee of fifteen Members, drawn by Ballot from the list or lists prepared under the direction of the Speaker, and to which the Bill would, by the standing orders and rules of the House, have been committed."

Mr. *Poulett Thomson* said, that the objection which he saw to the Motion was, that it would not be possible to carry it into effect. The hon. Member for Middlesex had observed, that although he was nominated on many Committees, yet he was only compelled to attend in one, and this was quite true. Now there were no less than 300 private Bills introduced this Session, and if each Member insisted upon attending only one Committee on private Bills, the consequence would be that when sixty Committees had been appointed the numbers of the House would be exhausted and, therefore, 240 of the 300 private Bills must of necessity be postponed. Besides, the proposal of the hon. Member, if adopted, would cause such Committees to be taken haphazard from the House, without any reference to the Members of which it was composed being possessed of any local knowledge or connexions. This course would altogether obstruct the progress of business in such a manner as to render it impossible to get on. He did not say, that the present method was the best, or that a better might not be devised, and he hoped that the Committee of which he had the honour to move the appointment would turn their attention to this point; but if his hon. Friend persisted in dividing the House, he should be compelled to vote against his motion.

Mr. *Hume*, in reply, said that the House could compel the attendance of members, as they were in the habit of doing with respect to Election Committees, and the same regulations should be enforced with regard to Committees on private Bills.

The House divided—Ayes 15; Noes 78; Majority 63.

POOR-LAWS (IRELAND).] Mr. *O'Brien* said, that during the last Session of Parliament, he had given notice, that in the present year he would bring forward measures for the relief of the Poor in Ireland. The Bill which he was now about to submit, was one of those measures; and, although the Government had announced their intention of developing a plan of their own, he hoped that he should still be permitted to lay this Bill before the House. In the observations with which he felt himself bound to accompany his Motion, it was happily no longer necessary for him to adduce any arguments in favour of the general principle, that there ought to be in Ireland, as in every other well-regulated country, a provision for the relief of the poor. The House, the country, and the Government, had, at length, awakened to the disgraceful condition of neglect and wretchedness in which the poor of Ireland had so long been allowed to languish—a condition which, he might venture to say, had no parallel in any country in Europe. The difficulties with which we had now to contend, were of a different complexion to that of resistance to the principle o fa poor-law. The problem now to be solved was, in what manner the great interests of humanity could be best served by practical legislation upon the subject. On the one hand, it was to be feared, lest measures of too mild and moderate a character might be wanting in efficiency, whilst upon the other, there was a danger lest enactments of too coercive a kind, might impose upon the holders of property in Ireland, a burden which they were unable to bear. He was not disposed rashly to disregard the interests of those who are in possession of property in Ireland; but upon the other hand, he felt persuaded, that it was for the interest of this class to make even a very considerable sacrifice, in order to rescue the population of Ireland from a situation which almost necessarily placed them in opposition to the rights of property, and prepared them for insubordination and crime. The Bill which he should introduce that night was framed upon the principle, that in constructing a system of poor laws in Ireland, there ought to be local administration, combined with central control—local administration, by bodies elected by, and representing the contributors to the poor fund, and general central supervision and control, on the part of a body named by the Government, and responsible to Parliament. The Bill then proposed to erect in Dublin a Central Board of Commissioners of the Poor, similar to that which had been established in England with so much advantage. It would be the duty of this Board to direct and regulate the whole machinery of the poor administration throughout Ireland. Its first task would be to divide each county in Ireland into a certain number of districts, by the union or the division of parishes. It was obvious that the present parochial divisions were unsuited for the purpose of creating any organization, with a view to the relief of the poor, as the parishes in that country varied within such wide limits in point of population and extent. The size of the district which he should be disposed to recommend, would be such, that it should embrace a population of not more than 5,000 persons, and not less than 2,000. The next object of the Board would be, to procure a valuation, for the purpose of assessment. Nothing could be more equivocal or unjust than the mode in which the Grand Jury Cess was at present levied; and as it was not expected that the Ordnance survey and valuation would be completed for several years, it would be necessary, in the mean time, to have some temporary equitable valuation upon which the assessment for the relief of the poor might be based. The formation of such a valuation would be attended with but little difficulty or expense, because in every parish in Ireland there had been recently made valuations under the Tithe Composition Act, and it would only be necessary to correct these valuations, where they were erroneous, and to add to them whatever property had been exempted from tithe. The Bill enacted then, that the Commissioners should appoint in each county a sufficient number of valuators to effect, within a limited time—say three months—a valuation of the whole kingdom. Every person in each district, whose holding was valued at a specified amount, say *3l.* or *5l.*, would be considered as liable to the poor rate. Upon a fixed day in each year, the rate-payers in each district were to assemble and elect for the district a warden and council—the council to consist of not less than ten members, and not more than twenty members, and the warden to be its permanent chairman and responsible organ. This local organization was similar to that which exists in France, and he believed would be found of the greatest advantage in reference to many other objects besides the relief of the poor. He proposed himself to take advantage of it in the Bills which he intended to introduce for remodelling the Grand Jury system, and for the regulation of the medical charities of Ireland, and he thought it might also be made use of in establishing a general system of education in Ireland, and even in assisting in the preservation of the public peace. The council would have the power of imposing upon the district a rate for the relief of the poor, which he proposed should be limited to one shilling in the pound upon the property included in the valuation—two-thirds of which rate should be paid by the landlord, and one-third by the occupying tenant. He felt the force of objections which might be urged against a limitation of the rate; but when we were enforcing a new tax, it was only fair to guarantee to those who would be affected by it, that it should not exceed a reasonable amount. It should also be remarked, that if the full maximum of one shilling in the pound were raised, it would produce an aggregate of 700,000*l.* per annum, which he believed to be more than sufficient, under proper arrangements, to accomplish all the purposes contemplated by this Act. The council would be empowered to select at their own discretion such persons in each district as they considered proper objects of relief, but only such persons as belonged to the class of what are called "the impotent poor"—that is, the aged, helpless, infirm, disabled orphan, widow, &c. This class would be strictly defined under the Bill, and no relief in the way of weekly allowance to any person not belonging to this class would be legal. For the purpose of preventing partiality in the distribution of the fund, and of calling into action public opinion, it would be required that in each district a list should be affixed in some public place, containing the names of the persons relieved, the amount of the weekly allowance, and the cause of relief. All accounts of expenditure should be sent up to the Board every year to be audited by them, and an abstract of the total expenditure upon the poor of Ireland should be annually submitted to Parliament. The Board would also be armed with the necessary powers for correcting any local abuses which might arise, and for keeping the whole machinery in beneficial action. These were the provisions of the Bill as far as regarded the relief of the helpless poor. He thought it of great importance to keep the two classes of the helpless and able-bodied poor distinct, in reference to arrangements for their relief, because for the former a domiciliary allowance appeared the most appropriate mode of relief, whilst for the able-bodied this was a most objectionable mode of assistance. With regard to the able-bodied poor in Ireland, he confessed that, looking to the present state of that country, he did not think it would be safe to adopt to the fullest extent the principle of the English Poor Law—namely, that every man in the community should have a *legal title* either to relief or employment. Without, however, recognising this legal right, he thought that every measure of a subsidiary kind which could tend to ameliorate the condition of the labourer, who found it difficult to procure employment, ought to be brought into action. However unpopular the avowal might be, he was bound to say, that he thought, in the present circumstances of Ireland, emigration afforded the best resource for the unemployed labourer—that which was the most advantageous both for the emigrant himself, and for the labourers who remained. It was obvious that if any considerable number of the able-bodied poor should emigrate, the wages of labour in Ireland would be proportionably raised; and as for the emigrant himself, he was able at a cost of about five pounds to proceed to the remotest part of Upper Canada, where he could obtain immediately wages at three or four shillings a day, with the certainty, if he were industrious, of leaving a comfortable inheritance to his family instead of starving at home upon wages which in many cases did not average sixpence per day throughout the year. It was only a few days ago a paper had issued from the Colonial Office, in which it was stated, that in Upper Canada, notwithstanding the great emigration which had flowed thither during the last few years, and which in one year exceeded 50,000 persons, there is at this moment an active demand for not less than 20,000 labourers. He could not consider any one who encouraged a foolish prejudice against emigration as a real friend to the poor. Persons in the wealthiest classes considered that the best provision which they could make for their young children was to obtain for them a situation in the East or West Indies, where they were exposed to an unhealthy climate, with but a very uncertain chance of returning home, after having spent the best portion of their life in voluntary exile. How much more advantageous to the poor man was the change to a country in which his labour was amply remunerated, in which the climate was similar to that of his own country—where he would probably find many of the associates of his youth, and where he would have the means of returning home at any time at a trifling expense. The Bill then proposed to permit the council in each district to grant aid to poor persons desirous to emigrate, provided the Grand Jury of the county should grant an equal amount. The money so allowed in aid of emigration would be lodged with the treasurer of the county, and could only be drawn out of his hands by a person trained by the Colonial Office. He thought this precautjon necessary, to prevent those frightful disasters which had taken place by shipwreck, in unsound emigrant vessels. The Colonial Office had already most beneficially undertaken the superintendence of female emigration to New South Wales; and he thought that all emigration of the poor ought, in a similar manner, to be placed under its guardianship. Another source of relief which he considered available for the benefit of the able-bodied destitute poor of Ireland, was the money which is at present expended under our Grand Jury system, upon roads and public works. The sum so expended amounted annually to about 400,000*l.*, which, at the usual rate of wages in Ireland, would give employment for four or five months, every year, to about 100,000 destitute labourers, being about one-sixth of the whole male population, who are not themselves in possessession of land, as occupying cultivators of the soil. He entirely agreed with the hon. Member for the county of Waterford (Sir Richard Musgrave) and the hon. Member for the town of Waterford (Mr. Wyse) that the present Grand-Jury system should be altogether remodelled—that a representative system should be substituted for the present system of nomination. But as he differed considerably with his hon. Friend as to the best means of constructing a new system, it was his intention to submit a Bill to the House, with a view of developing his ideas on the subject; and one of the objects of that Bill would be to render the expenditure of the county works available to the relief of the able-bodied destitute poor, by giving to the district council the power of sending to the baronial works unemployed labourers, who might apply for relief, on the condition, however, that the district should for each labourer so sent, contribute a trifling sum in aid of the baronial funds, as long as he was employed. Another measure available for the unemployed labourer was the colonization of waste lands, by the establishment of institutions somewhat similar to the poor colonies of Holland. He conceived that in the present circumstances of Ireland, such a measure would in every way be most desirable. The capital expended in such reclamation would be employed most usefully and productively for the community; whereas that which was expended upon workhouses was unproductively employed. He was inclined, therefore, to bring in a Bill to permit counties or baronies in Ireland, under proper arrangements, to take waste lands for the purpose of effecting their reclamation by the unemployed poor. With regard to workhouses, he was unwilling to recommend their establishment, although it was possible that, eventually, we should be compelled to establish in each county a few of them, not so much for the purpose of affording relief to the really indigent, as in order to take away all excuse for application for relief from the idle labourers, who might plead inability to find employment elsewhere. As the erection of workhouses, however, was necessarily attended with considerable expense, and as they ought only to be regarded as, to a certain extent, penal establishments, he was unwilling at present to make any provision for their erection until all other expedients had been tried without success. As to a collateral measure to those which he had already mentioned, he thought that the medical charities of Ireland should be placed under proper regulation. We had at present many dispensaries, and some hospitals; but, whilst in some districts there were more dispensaries than were needed, in other districts there were none at all, and in many instances there were considerable abuses in the management of dispensaries, which required correction. The present hospitals of Ireland, though supported by the counties at large, were, in fact, only district hospitals, as it was quite idle to suppose that an hospital, situated at a distance of twenty or thirty miles, could be available to any poor person who had met with a sudden accident, or was attacked with any sudden disease. He proposed, therefore, to bring in a Bill, the object of which would be to secure to every district in Ireland containing a certain population, say 10,000 to 20,000 inhabitants, a well-managed dispensary, and to place a well-regulated hospital at a distance of not more than fifteen miles from every poor family in the county.—Such was an outline of the measure for the relief of the poor, which appeared to him adapted to the present circumstances of Ireland. It would give him real pleasure to find his projects superseded by plans of a more perfect character; and he had every confidence that the Government would, with sincerity, earnestness, and effect, apply themselves to the ultimate accomplishment of this great legislative effort. It was some encouragement to know that, however imperfect future plans might be, they could be productive of no greater evils than those which we now so painfully witnessed. Sure, also, he was, that it was the duty of Parliament to admit of no delay, to shrink from no sacrifice, to be daunted by no difficulty, in carrying into effect their determination, as far as in them lay, to redeem the country which was placed under their care, from a condition which was alike a reproach to their Government, and a disgrace to humanity. The hon. Member concluded by moving for leave to bring in the Bill.

Mr. *Sharman Crawford* seconded the motion, but must say, that no measure could effectually relieve the poor of Ireland, which did not embrace the means of providing employment for the peasant who was willing to work for his support, but who was unable to procure it. He considered this of the utmost consequence, because he knew, that whilst a very large proportion of the people in Ireland were most anxious to be employed, they were frequently in want of the commonest necessaries of life, and often in danger of starvation.

Leave given.

Municipal Corporations Act.] On the Motion of the Attorney-General, the House went into Committee on the Municipal Act Amendment Bill.

On the 10th clause having been put, which requires a declaration to be made in certain cases therein set forth by all Dissenters,

Dr. *Lushington* wished to remind his hon. and learned Friend of the very serious difficulty which was experienced by Dissenters in reference to that part of the clause which required a declaration to be made by persons belonging to the Society of Friends. They and other Dissenters had an insuperable objection to the declaration prescribed or required by the 9th George 4th; but however much he (Dr. Lushington) might sympathise in the feelings of the Dissenters, he feared that as this declaration was regarded as a security to the Establishment, the law must be altered by the introduction of an Act for that specific purpose; and whenever such a measure should be brought forward, he would give it his best support.

The *Attorney-General* was heartily glad to hear the opinion which his hon. and learned Friend had just expressed. The present law was, undoubtedly, most objectionable, but he thought it would be very inexpedient in this Bill to supply a clause to remove the evil complained of.

The clause was agreed to.

On clause 11 Mr. Lawson declared his intention to divide the House upon it, because he was of opinion that its effect would be to establish Petty Sessions in many towns where there were no gaols.

The Committee divided on the clause: Ayes 88; Noes 6;—Majority 82.

The House resumed.—The Report was brought up.

Stafford Disfranchisement.] Mr. *Divett* moved the second reading of the Stafford Disfranchisement Bill.

Captain *Chetwynd* said, as the representative of that old, and populous, and respectable Corporation, whose liberties it was now sought, without any colour of justice, to take away, he should oppose the motion. There were 1,300 electors in the town, out of a population of 8,000. For 600 years they had returned Members to that House, and amongst them some of the most brilliant lights that ever shone in Parliament. Until the last accusation, the integrity of the electors was never impeached. The alleged crime was of so old a date as four years and a-half, and he contended that if the criminality were then sufficiently established, the punishment would have followed sooner. It was monstrous, and contrary to all equity and law, to visit the present electors of Stafford with the punishment said, but not proved, to be due to the delinquencies of about five years standing. He should be the last to defend corruption, but he had ample means of proving that the allegations in the Report laid before the House were many of them utterly false, and some of them impossible. He moved, therefore, that the Bill, by which 1,300 electors were to be disfranchised, should be read a second time that day six months.

Mr. *Divett* said, that the subject had been discussed so often, and the Report of the Committee was so decisive, that he felt it unnecessary to detain the House with any additional proofs of the corruption of the voters affected by this Bill.

Mr. *Philip Howard* said, whatever may be the views taken by hon. Members of the Question before the House, there is no one but must admire the feeling and the force with which his hon. and gallant Friend had advocated the cause of his constituents and the old Borough of Stafford.

"Alone he stands the brunt of the attack."
"Solus defendit Ilion Hector."

But, no eloquence could cast a shield over the corruption of Stafford; no prowess defend its battered walls; still seeing that there was much of hardship in keeping this Bill of Penalties hanging over the citizens of Stafford for four long years; considering too that the Reform Bill was held to be an amnesty for the past, he should not stay to swell the majority, which devoted Stafford to political extinction.

Mr. *Law* moved the adjournment of the House, as it was now past the hour at which it had been agreed that no new business should be commenced.

Mr. *Francis Baring* said, that the Bill had been brought under the notice of the House before twelve o'clock. He thought it really too hard that a measure which the empty benches on the Opposition side of the House proved that all argument against it was given up (and this after having been so frequently discussed), should be met by a motion for the adjournment of the House.

The *Lord Mayor* trusted his hon. Friend would persevere in his motion for adjournment. He quite agreed with the hon. Gentleman who had moved the amendment on the second reading, that the Reform Bill should be considered as a measure of amnesty. The hon. Member opposite (Mr. Brotherton) should be impartial in his moving for adjournment.

Mr. *Patrick Stewart* said, that if hon. Gentlemen conceived this Bill to be unjust, they should take the proper course for opposing it, and not sanction its defeat by a side-wind, such as the present motion for adjournment.

Mr. *Brotherton* did not consider himself liable to the charge of partiality which had been imputed to him. He had made it an invariable practice to move the adjournment of the House when new business was brought forward after twelve o'clock, but in the present case he considered himself relieved from the necessity of so doing by the fact that the Bill had been submitted for second reading before twelve o'clock.

Mr. *Law* did not consider the inference a fair one from his motion for adjournment, that those who sat on his side of the House were unwilling to have this Bill passed. The object of his motion was to prevent business of such importance being discussed at so late an hour. He should persist in his motion.

The House divided on the adjournment, Ayes 4; Noes 55: Majority 51.

The House afterwards divided on Captain Chetwynd's amendment: Ayes 6; Noes 53: Majority 47.

Bill read a second time.

HOUSE OF LORDS,

Friday, March 4, 1836.

MINUTES.] Bills. The Royal Assent was given by Commission to the following Bills; Exchequer Bills; Transfer of Aids; Dean Forest; and one private Bill.

Petitions presented. By Lord PLUNKET, from the Law Society of Ireland, against the Landed Securities' Act.—By the Archbishop of CANTERBURY, from Oldham, for an Alteration in the Factories' Act.—By Lord HOLLAND, from a Dissenting Congregation in London, for Relief to the Dissenters.

SEE OF DURHAM.] The Marquess of *Londonderry* was desirous, in consequence of information which had reached him, that it was intended by the Government to effect a reduction in the revenues attached to the see of Durham, to offer to the noble Lord at the head of the Administration a few suggestions before any decision upon the subject was finally come to. It was wholly impossible for him to approach this topic without expressing the deep and general regret which was experienced throughout the district of the country in question by the death of the right rev. Prelate who last filled the see. He was a man, whose bearing and eminent Christian qualities placed him amongst the most respected dignitaries of the Prelates' Bench. Indeed, without casting the slightest disparagement upon its present or future occupants, he might becomingly say, that

> "He was a man, take him for all in all,
> We ne'er shall look upon his like again."

With this passing tribute to the memory of a talented individual, he would proceed at once to explain the object he had in view in addressing their Lordships. It would seem to be the intention of Government to reduce the revenues of the vacant see to a very small amount. Now, before they did so, he asked the noble Lords, who had such an arrangement in contemplation, to take into consideration the singular position in which the district included within its limits was placed. It should, in the first instance, be borne in mind that a very large tract of the country was Church property, and that, consequently, there were to be found in it fewer resident independent gentlemen than in any other in England. During the life of the late Bishop the hospitality of the palace was supported in a princely manner, and twice a year the Judges were entertained there during their stay in the county. Now, if the income of the new bishop was reduced this would be impossible, and not only would the poorer classes be deprived of the advantages arising from the keeping up of a large establishment, but the reception of the Judges on the occasion of the Assizes would be thrown upon the shoulders of the gentry, who were but indifferently able to bear the consequent expenses. He would also suggest, that if any reduction of the revenues took place, the sum of 2,000*l.* a-year hitherto annually allowed by the Bishop to the College should be transferred to that body from the fund arising out of the reduction.

Viscount *Melbourne* entirely concurred in the eulogium pronounced by the noble Marquess on a late right. rev. Prelate, and he could inform the noble Marquess, that all the suggestions which had been thrown out were fully considered in the Report of the Church Commission, which Report had been signed that day. It would not be proper for him (Viscount Melbourne) to say what the contents of that Report were, but he trusted that it would be satisfactory to the House, and provide a sufficient maintenance for the dignity of the see in question.

Subject dropped.

HOUSE OF COMMONS,

Friday, March 4, 1836.

MINUTES.] Petitions presented. By Sir RICHARD SIMEON, Dr. BOWRING, Mr. AYSHFORD SANFORD, and Mr. EWART, from several Places, in favour of Mr. BUCKINGHAM'S Claims.—By General SHARPE and Dr. BOWRING, from Kilmarnock and Dumfries, for the Repeal of the Duty on Attornies Certificates.—By Colonel Sir BROKE VERE, from the Medical Practitioners of the County of Suffolk, for Remuneration for attending Coroner's Inquests.—By Messrs. HANDLEY and WILKS, from two Places, for Relief to the Dissenters.—By Mr. HANDLEY, from an Agricultural Association, for Relief to the Agricultural Interest. —By Colonel GORE LANGTON, from the Eastern Division of the County of Somerset, for improving the Registration of Voters.

CARLOW LANDLORDS.] Mr. *Wallace* rose to present three petitions from freeholders, inhabitants of the county of Carlow, and, before doing so, he wished to take that opportunity of renewing his notice of motion for the appointment of a Committee, to inquire into the proceedings alleged to have taken place at the two last Carlow elections. He had endeavoured, to the best of his means and ability, to ascertain, whether the petitions were respectably signed, and whether the statements they contained were consistent with truth, and he thought they came from individuals who would not deceive him. Since showing the petitions to the hon. and gallant Gentleman, the Member for the county (Colonel Bruen), he had found that there was a portion of one petition which contained a statement, for the accuracy of which the petitioners would not vouch, and he therefore at once expressed his determination not to present the petition without that passage being expunged. This had accordingly been done. The first petition he should present was from William Murray, who stated himself to be an elector of Carlow, and a tenant of the hon. and gallant Gentleman, the Member for the county. He had served the hon. Member for three years, in the capacity of a rent-driver, and had signified, in 1832, his intention of voting for the Reform candidate, since which he had been persecuted in the way the petition described. He stated, that he had been deprived of his situation of rent-driver, from which he derived 10*l.* annually, though he had faithfully served his master; and that, in consequence, he had never been able since to obtain a rent discharge —that was, a discharge for his rent as if he had been paid in full, a practice not confined to Ireland, but which was very common, as hon. Members were aware, both in England and Scotland, now that rents were so generally badly paid. The petitioner went on to state in detail the treatment which he had received from the gallant Member, and he added, that without some legislative interference, to prevent similar proceedings being taken against him and other electors of Carlow at future elections, the freedom of election would be altogether destroyed there, as it was the determination of the Conservative landlords of Carlow to coerce their Catholic tenantry either to vote against their consciences, or as they thought fit. The next petition he held was from an individual named Murphy, who was similarly situated to the last-named petitioner. He also was a tenant of the hon. and gallant Member for Carlow, and had experienced equal treatment for equal causes as the other. The petitioner stated, that in 1831 he had signified his intention of supporting the Reform candidates for the county of Carlow, in the general election which then took place, and that he had done so; in consequence of which he stated that he was deprived of a portion of his holding by the hon. and gallant Member, in which was included a right of turbary which he had possessed and exercised for a considerable period. Previous to the election of 1832, the right of turbary was restored to him, in the hope, and, as he stated his belief, on the speculation, that he would vote for the hon. and gallant Member, by whose order it had been restored. When that election came on, he stated, he was brought to the town of Carlow by those in the hon. and gallant Members interest, and locked up until he should vote for him; but he would not vote against his conscience, and he therefore contrived to make his escape and return to his home. He was not, however, suffered to remain there long; he was again brought back, and a party of the police accompanied those who compelled him to return. He was then again placed in the position of voting for the hon. and gallant Member, or voting according to his conscience. He voted according to the dictates of his conscience, and ever since he had been nearly brought to ruin by a series of persecutions directed against him on all occasions. He had been again deprived of the restored right of turbary; and although there had been usually a running account for rent between him and his landlord, it had been closed on a sudden, and, as he was unable to pay, he had been ejected, and was completely deprived of the land which had been upwards of forty years in his hands and those of his family. Like the former petitioner he prayed legislative protection, and hoped the House would interfere to prevent such persecution. The next petition which he (Mr. Wallace) had to present was the most extraordinary he had ever heard or known of in connexion with the rights of electors and the freedom of election; and, if it were capable of being sustained, deserved the deepest consideration of the House. It contained nineteen signatures out of twenty two—the whole number of tenants on the estate of a Mr. Alexander, a gentleman resident in the county of Carlow. The statements contained in that petition were to the following effect:—In 1831 Mr. Alexander, who was then a Reformer, had induced his tenantry to register their votes for the purpose of supporting the Reform interest. There being then no difference of opinion, they complied willingly with his requisition, and voted accordingly. In 1835 Mr. Alexander changed his opinion, and insisted that they should do so likewise. He wished them to vote for the hon. and gallant Member and his hon. Colleague for that county, in the election which took place that year; and if they refused, he threatened to drive them from his property, and dispossess them of their holdings. At various times and in various places, while that election was pending, at the booths and in the streets, he openly used threats of extermination against them, without any attempt at suppression or concealment; and as they did not vote according to his desire various law-suits were subsequently entered into, with the view of coercing, annoying, and injuring them. The consequence was, that they were almost ruined. In connexion with these suits the petitioner stated, that Mr. Alexander, being unable to find officers of justice to execute the law-processes necessary to sustain them, had recourse to the very unusual step of serving them himself, and thus becoming a bailiff in his own cause. The petition further alleged, that Mr. Alexander stated publicly that a combined determination had been adopted by the landlords of the county of Carlow to subdue their refractory tenants, and that they had one and all sworn to remove from their estates every man holding under them, who did not vote according to their directions. The petitioners stated, that in consequence of these persecutions they had been nearly ruined by their landlords. One proof of the disposition which appeared to that effect on the part of that Gentleman would, he thought, be sufficient. Immediately after the conclusion of the election of the year 1835, they were called upon to pay the hanging gale—as it was termed in Ireland—in other words, the preceding six months' rent, which is never required until the succeeding half-year is due: they paid it. When the next six months had expired, they were called on to pay the rent due for it, which, with great difficulty, they did also, although there were only six weeks between the two payments; and, on the expiration of the following six months, they were called upon, and compelled to pay for that term also. Thus in nine months they had paid three complete quarters' rent, a circumstance which was unprecedented in Ireland, and he (Mr. Wallace) believed elsewhere also. If these allegations were capable of proof, he (Mr. Wallace) felt bound to say, that, until the system which created and fostered them was put an end to, there could be no freedom of election in that country. If these were facts, it must be at once allowed that the individual complained of, had gone unusual and unconstitutional lengths. The petitioner stated further, that means had been taken by Mr. Alexander, their landlord, to establish a body of police under the command of an officer near his house; and that he had succeeded in them. And they complained that, as the police was unnecessary in consequence of the peaceful state of the country, the only object of their being established there was to aid and assist him in performing his part of the condition of the league entered into by the Protestant landlords for the extermination of their Catholic freeholders of the county of Carlow. He (Mr. Wallace) did not mean to vouch for the accuracy of the statements contained in their petitions, but he thought it his duty to bring them before the House and the country, as they contained matter which it was necessary either to affirm or disprove without delay. As a petition of a similar character had been placed on the Votes of the House—one which had been presented on nearly the same subject on a recent occasion—it was his intention to ask a similar advantage for these; and he was sure, under all the circumstances, the House would not refuse him. He should, therefore, move that the petitions be printed; to the end that hon. Members might have the fullest opportunity of perusing them previous to the motion which he should bring forward for a general and searching investigation into all the circumstances connected with the election for the county of Carlow. If the statements contained in them were false, then let the consequences be on the heads of those who had offended. He had no wish or interest in connexion with the case beyond the desire to discharge faithfully a public duty and perform a public service; and he would fairly and openly state that he should leave no stone unturned until, by the appointment of a Commission or some equally effective means, a strict inquiry was set on foot and the truth or falsehood of these extraordinary statements tested.

Colonel *Bruen* thanked the hon. Member for Greenock for bringing this matter before the House, for both himself and the rest of the landlords of Carlow were most anxious that such an inquiry as that proposed by the hon. Member should take place, and that the conduct of persons of all sects and parties should be impartially but fully investigated. In fact, it was what they had been endeavouring to obtain for many years without effect, but they were still left to suffer evils which, he ventured to assert, existed in no civilized country of the world. The hon. Member then proceeded to read, in answer to the allegations of Murray, the following extract from a letter from Mr. H. Cary, of Carlow, to himself, dated August 15, 1835, which appears in the Appendix to the Report of the Select Committee on Bribery at Elections:—"William Murray became your tenant, without a lease, for part of the lands of Ballyhacket, containing 8a. 0r. 18ps., from the 25th of March, 1822, at 40*s.* an acre, and on his complaining that the land was too dear, you agreed to allow him an abatement of 5*s.* an acre, yet he did not pay one shilling of the abated rent for the two years ending the 25th of March, 1824, notwithstanding which you not only forgave him the two years' rent, but you gave him a lease of the land at 35*s.* an acre, commencing from the 25th of March, 1824, from which period to September, 1832, his payments did not amount, notwithstanding repeated applications on my part, to fully two years' rent, so that in September, 1832, he owed you an arrear amounting to 85*l.* 3*s.* 8*d.*—I take great discredit to myself for having allowed this arrear to accumulate, but I was induced to do so in consideration of his having a large family, and as he always represented himself to me as being very poor, and unable to pay his rent. In February, 1833, I had ejectments served on him, which were tried at the April Sessions of that year; he took no defence, but in the June following he redeemed the land by paying the arrear, with the exception of 4*l.* 15*s.* 2*d.*, and he has since continued to pay his rent regularly, which proves to me that his previous allegations of poverty were unfounded, and that I was deceived. I send you my account-books from 1826 to 1834, to show the state of his accounts. I never employed him as a rent-warner, driver, or gamekeeper, on your estate; it is true I told him to protect the game on Ballyhacket, and not allow any person to shoot on those lands without your orders; but this was the general direction given to all the tenants. He occasionally brought messages and notices from me to the tenants on that part of the estate, which were few in number, in like manner as I would ask any other tenant that I had confidence in; but as to his being obliged to come into my office twice a-week, there could, by no possibility, be any necessity for it, nor did he do so; he is a dealer in bacon, and as such had occasions to come frequently to Carlow on his own business, and he has called at the office on some of these occasions, and brought messages from and to the tenants, but I do not recollect that he ever was brought specially to Carlow on your business, though such may have been the case after the ejectment was served on him, but never before. He claimed to be allowed 10*l.* a-year for his services: I told him he had no claim whatsoever; that his services were merely such as were expected from any other tenant; but I may have told him, though I am uncertain whether I did or not, that if he made a formal demand, I would make him some allowance, perhaps I may have said 5*l.* a-year, so as to remove all possible grounds of complaint on his part; but he absolutely refused my offer, which convinces me of the motives for the claim. I never furnished him with an account, nor was any account ever furnished by my directions, giving him credit for any allowance, or striking any balance of 36*l.* as being due by him, nor could I do so, as no allowance was ever made to him, nor was he entitled to any; if such an account was furnished him, he, no doubt, would have produced it at the trial of the ejectment process, and I should have been bound by it. It is probable he might have procured my clerk to draw out an account in the way he wished it, but if he did so it was altogether without my knowledge; I knew nothing of it. You are aware that there are only two drivers on the whole estate; namely, John M'Crea, and Matthew Griffith; their salary is only 8*l.* a-year Irish each, therefore Murray's demand was absurd on the face of it, and could only have been suggested to him by some of the agitators, in order to found a grievance on it." Although I had no right whatever, said the hon. Member, to produce my private accounts, I offered to do so, and sent over for them for that purpose. Mr. Ord, however, the chairman of the Committee, said it was quite unnecessary. With respect to the case of Murphy, he was to pay a rent of only 15*l.* a-year, and, yet he allowed arrears to the amount of 80*l.* to accumulate—in fact, he paid just what and when he pleased, like the rest of the tenants. I have received several letters, with all of which I do not think it necessary to trouble the House; but there is one to which I beg attention. It is from Mr. George Dwyer, dated Ardrahan, February 29, in which he states that he is the son-in-law of the person who owns the estate of Ballytarsna, of which we heard so much the other night, and says—" As a member of the family, who are deeply indebted to your generous forbearance from asserting your own rights, I solemnly declare, that had you availed yourself of the fair and legal opportunity open to you, it was in your power to have resumed possession of the lands of Ballytarsna, and to have added to your income the very considerable profit rent now enjoyed by my brother-in-law and his family. With reference to the management of the estate, a receiver was appointed by the Court of Chancery during my brother-in-law's minority, and the agent under the authority of the Court was compelled to remove such tenants as were either unwilling or unable to pay in their rents to the Court; with this you had nothing to do." How Mr. Alexander may think it proper to proceed (continued the hon. Member) with those tenants who refuse to pay either tithe or rent, it is not for me or for any one else to inquire, provided, in his very natural endeavour to obtain his rights, he does not violate the law; and I once more protest, in the name of the landlords of Carlow, against such attempts to call them to account as to how they manage their private affairs. This I do know of Mr. Alexander, that to no man in Ireland is the community more indebted than to him, for the extraordinary improvement that he has caused in an extensive district. When he came to that county, about forty years ago, he has told me, when viewing these improvements, that one cabin, without a tree or a bush, was all he found on his arrival. The most extensive mills, I believe, in Ireland, a handsome residence, fine trees, extensive plantations, strikingly neat and comfortable houses, with a numerous, happy, and grateful tenantry, in constant employment, were the results of the endeavours of one of the most public-spirited and munificent men in the empire, till for their sins Father Kehoe turned politician. The effects of his pious endeavours may be gathered in some degree from the petition. Mr. Alexander still remains the same kind and liberal man that his acts have proved him; but he does not choose to be bought and sold, and has the hardihood openly to say so. With respect to his son, he is likewise grossly attacked, as having stated that all the Tory landlords had sworn to exterminate the Roman Catholics. The thing is absurd on the face of it. I believe he has just finished an excellent house for one of that persuasion, who has been barbarously treated by the mob because he voted as he pleased, and against whom Father Kehoe preached his celebrated sermon, to be found in the Report of the Committee on Bribery. It is stated that men who have been employed for years in the mills have been discharged. The House will not be surprised at that, when they hear that the workmen, in a body, have received orders from the priest to quit instantaneously the premises of gentlemen, friends of mine, engaged in the malting business, at the critical moment when hundreds of pounds worth of barley must either be turned or lost, and have been forced to obey. Is it, then, astonishing that men in business should endeavour to guard themselves against the recurrence of such dangers, and only employ those who are free agents? Is it not, rather, a fit subject for our amazement that the very men who commit these crimes can have the unparalleled effrontery to appear before the public as the accusers of those who are suffering under the effects of them? As to the police-barracks at the rear of Mr. Alexander's house, the case is simply this:—There happens to be a bridge over the river Barrow, which, fortunately for us, separates Carlow from the Queen's County. Large parties of Whitefeet and other desperadoes used to come across this bridge into our county by night, and wreak their vengeance on the peaceable inhabitants. In order to check this, a police station has been established there, which has had, I believe, the desired effect, and has given great offence to the advocates of liberty. When I had lately the honour of addressing the House, it was my intention briefly to have endeavoured to show with what injustice the landlords of Carlow had been assailed in the petition lately presented from Mr. Vigors, as well as to state some other matters connected with that county, which it has now become essentially necessary that the House and the country should know; it did not, however, seem right to some of the hon. Gentlemen opposite that I should proceed. I therefore desisted, having much reason to be thankful for the patience with which they listened to my statement, but apprehend that there can now be no objection to my proceeding. Within this day or two I have received letters and affidavits contradicting the allegations in Mr. Vigors's petition. With these I do not think it at all necessary to trouble the House now, but I have received one letter the substance of which I must be allowed to communicate. It is from Mr. Butler, the agent of Lieutenant-Colonel Latouche. He states that he has been for the last twenty-eight years, and his father for the thirty-three years previously, sole agent for these estates in Carlow, and that during the whole of that period, the long period of sixty-one years, an ejectment has never been had recourse to. This he could say with truth, which he observed others seemed to disregard, that the lease of these lands mentioned, paying a rent of only 2*s*. 6*d*. per acre, lately expired; that Lieutenant-Col. Latouche had directed seventy-six acres to be given at a moderate rent to the family of the original tenant; that he found thirteen cabins on a wretched and unimproved hill, the inhabitants idle, demoralized, and uncivilized—the few that could write, requisionists for every illegal purpose, and this, perhaps, might give some clue to the reason for these complaints and lamentations—the land not affording sufficient support to the numbers that had congregated on it. Under these circumstances, he proceeded to say, that he considered it not unfair that the lands should be put into such a state as would be likely to afford some remuneration to the landlord, and to hope for that, as they were then circumstanced, was impossible. These persons were allowed to remain fifteen months on the land, rent free, and then each went away, removing the materials of their houses, together with every thing portable. To the head of each family he gave some pounds in money. There was but one widow; to her he gave 5*l*., and she was most thankful. Mr. Butler proceeded to complain of the injustice of such an attack upon a landlord whose kindness and liberality were proverbial—and on this point I most willingly add my testimony, for all who have the pleasure of knowing Lieutenant-Colonel Latouche are well aware that a more generous or kindhearted landlord or gentleman does not exist. Mr. Butler adds in a postcript —" You will please observe there was not a freeholder on this townland which is so much complained of, and of course nothing political could be mixed up with the removals." Any comment on this plain statement of facts, continued the hon. Member, I take to be unnecessary. The House will observe that a number of idle and disorderly people have been, after much kindness and generosity, removed; now this, in the eyes of the political priests, is an offence not to be forgiven. Their consequence and their power, as agitators, are impaired. These are the deluded people at whose head they place themselves, and scour the country in all directions by day and by night; they sally forth from the chapels on the Sabbath day, having first duly inflamed their religious zeal, to canvass the freeholders at the head of such mobs, threatening them with death and destruction to their houses and properties if they do not vote for their priest and their country. Not satisfied with the mobs of one county, they summon the priests from those adjacent, who march in at the head of their forces; the inhabitants fly from their houses, and hide themselves in the ditches and coverts; and the country has now the appearance of one invaded by a barbarous enemy, rather than one basking in the sunshine of reform, and reposing under the wing of a patriotic and liberal government. I, myself, have witnessed what I describe. In some instances, the priests drag men from their homes and from their sick beds; they carry them prisoners to their houses, detain them there for days against their will, and parade them through the country and through the towns, like the conquerors of old. They force them to the hustings, take their stations opposite to them in the booths, and, fixing on them an eye more withering than Vathek's, they constrain them to perjure themselves at the registries, and to vote at the elections against their wishes and against their interests, and their poor victims can only say, " How can we help it? Their outrages end not here; if any have the hardihood to assert their rights in defiance of all this, and to vote against whatever unimpeachable patriot may have been the highest bidder, whose very name, perhaps, they had never before heard, or may not be able to pronounce, they are denounced from the altar as heretics and Orangemen; their neighbours are ordered to have no communication with them, not to buy from them, not to sell to them, not to treat with them at fair or market; their cattle are maimed; their farming implements destroyed, and their houses burnt; their names are posted in black lists on every chapel door in the county; a line is drawn around their door, which no one must pass: their very wives are forbidden to come near them, and if by the utmost vigilance and precaution they escape at last with their lives, it is more than they could in reason expect. The landlords in the mean time are abused, insulted, and injured in every possible way. They cannot ride even along the public way in peace or safety. Their best horses and dogs are poisoned, their property injured and destroyed; their servants set as spies over them; their labourers forbidden to work for them, and obliged to leave their employment at the most critical times and seasons, when hundreds may be lost in the course of a few hours; their very lives are continually in danger, as far as the ruffians dare to go, and, in short, every device is resorted to that man or devil can suggest, to drive them out of the country. This is a mere sketch, a faint outline of what we endure; and if the landlords of Carlow had been driven to retaliate to mete to their enemies with their own measure, and to pay them in their own coin, I do not say they would have been justified, but assuredly it would be allowed they had received ample provocation. But I will go further, and state, that if they had discharged their duty as they ought to themselves and to their country, some of those gentlemen who now figure as witnesses and petitioners before this House and its Committees, would, if justice were to be obtained, have been long since in a very different part of his Majesty's dominions, together with numbers of their misguided followers. But we have borne these insults and injuries with patience, still hoping for better days, and we have been justly rewarded for our folly. This is the liberty we enjoy, and for the increase of which such clamours are continually ringing in our ears; and it is fitting that Parliament and the country should know the truth before they proceed, by fresh enactments, to place new and dangerous powers in the hands of those who have made so bad a use of those they already unfortunately possess. Let the House bear this in mind, that, with respect to the great body of the people, there is scarcely, as matters now stand, such a thing in Ireland as liberty, unless it be the liberty of murder and outrage; nor can any be expected until the political incendiaries, instead of being encouraged, are made amenable to the law. The maladies under which we labour, until that is done, must continue to increase. These are the men who have the effrontery to accuse us of tyranny and oppression to the electors, as if the question was whether or not the elector in Ireland should be permitted fairly to exercise his franchise; but it is no such thing; the question is, shall the priest be allowed to drive him where he pleases, and sell him to the highest bidder? This is our present state, and must continue to be so, unless the landlord steps in, and the laws of this House and of the country are enforced. Take, for example, the transactions of the last few years in Carlow, even from what has been publicly admitted, and I can go somewhat further if necessary.— We have been hawked about like a bale of goods to every fair and market in the country; we have been offered to one, refused by another, and forced upon a third, till we have become a mere drug in the market. The patriot in Ireland, the Radical in England, have both been equally deaf to the voice of the charmer. Possibly the Liberal in Scotland may have had his ambition tickled by glowing descriptions of this safe speculation; but be that as it may, this is not the first, second, or third time, that we have been notoriously put up to auction, and here we are at last knocked down like a lot, by Mr. George Robins. To reconcile us to our misfortunes, we were promised a staunch and consistent reformer, whose principles were all that could be desired, but, if, after all, our purchaser turns out to be such an "incomprehensible vagabond," truly it must be confessed that we have been hardly dealt with. But I will beg leave to explain more particularly the degree of liberty that the Roman Catholic in Carlow enjoys, and give one out of 100 instances. He is told, in the first place, that he holds his franchise for the good of his country: his priest is the judge of that, and he must give his vote, and no thanks to him, as his priest pleases. This demand is enforced by the rabble on every opportunity, but more particularly at the chapel on Sunday. Seldom can any demur or resistance be expected; but should any thing of the sort be apprehended, strangers are brought and placed in front, and the unfortunate recusant is beaten and abused without being able to recognize one of his tormentors, so as to bring them to punishment, if he dare to think of such a thing; or he is dragged out of the chapel during the service, or his wife or daughter is thrown over out of the gallery. Let not the House imagine that these are imaginary cases, or that they partake in any degree of the character of rhetorical artifices. They are sad truths—matters of fact, not only with respect to the poorer, but to the wealthier classes. I had a tenant, a most independent man as to his circumstances. Besides two rich and extensive farms, he had, to my certain knowledge 2,000*l.* in money; he always supported me until the last general election, some time previous to which he went to his chapel, when he found the gate locked; he attempted to climb over the wall, when he was pulled back, hustled, and struck with stones, and his wife was so ill-treated that premature labour was brought on and the child died. The man himself is since dead, and from what he told me himself, as well as from what I have learned from his friends, I have no doubt that his death was caused by the vexation. I could mention many other instances, but this will suffice; and I put it to the House, is not all this enough to induce me earnestly to call upon his Majesty's Government to appoint a Commission, not only that the liberty of the elector may be secured, but that all his Majesty's loyal subjects may be protected from the outrages that would disgrace Barbary?

Mr. *Francis Bruen* congratulated his hon. Relative that the numerous and weighty charges which had been brought against him had dwindled into the most absurd and ridiculous complaints of two persons of the names of Murray and Murphy. And what was Murray's complaint? Why, that he had not been allowed a salary for an office which he never possessed; and Murphy complained that he had been forced by his landlord to go to the hustings, and vote contrary to his conscience, and having been obliged to accept of some turf. But the hon. Member for Greenock, who dwelt on the cases of these men, forgot that Murphy had stated that his rent had been paid, and his arrears and law expenses by his neighbour. Now who was the neighbour of this Mr. Murphy, who was so sensitive of bribery? His neighbour was Alexander Raphael. He was the good Samaritan; thus, though a little turf had stuck in his throat, Mr. Murphy would yet swallow the whole of his rent, arrears, and law expenses that were paid by his neighbour. Neither of these men had suffered. They admitted that they still had their franchise, were still in possession of their lands, and that their rent had been paid by their neighbour. What then had they to complain of? Nothing. And so ended the charges against his hon. Relative. Finding that these stories would not do, his hon. Relative's accusers started a fresh hare, in the person of Mr. Alexander, anything, in short, to prove that it was right to seek somewhere else rather than allow the resident landlords of Carlow to possess a fit representative. Rather than allow them to exercise their rights it was deemed proper to propose as a Member "the most incomprehensible of all imaginable vagabonds." The charge against Mr. Alexander was, that he had asked his tenants —for what? For tithe and rent. Pray, how did Mr. Alexander know but that his tenants had as good neighbours as Murray and Murphy? But he would ask any hon. Member whether these charges had any real foundation? No; the true matter of fact was this—that because the landlords of Carlow would not permit their town and county to form a link in the vast chain of rotten boroughs under the control of that great reformer opposite, the hon. and learned Member for Dublin—because they would not suffer that, they must be aspersed and vilified, and held up to the British public as monsters in human shape; and the people of England were to be deluded by those audacious calumnies. He felt it his duty to rise and caution hon. Members against receiving such statements without having them fully inquired into; and having done so, he should not say more.

Mr. *Hope* said, as it appeared that the accusers in this case had shifted their places, he did not think it necessary then to trouble the House with any remarks; it appeared that the charges made against his hon. Friend were without the least foundation, but he should be always ready and most happy to meet the question if it should ever again be raised. There was one circumstance, however, about the affair which he confessed he could not clearly understand; he did not understand how it happened that the hon. Member for Greenock having given notice of his motion, should have been so long without bringing it forward. Why had he postponed it so frequently? If he were so unfortunate as to be too low down on the notice-list, why did he not, if the matter were indeed so urgent and important, move on the order of the day for the House resolving itself into a Committee of Supply? He repeated, that it did appear to him most unacountable how such a lengthened postponement could have taken place.

Mr. *Hardy* observed, that although there had been no imputation on him in the petition presented to-night, or in the petition presented on a former occasion, yet he did feel that ever since he had brought the motion on relating to the Carlow business, he had been labouring under an unjust imputation cast on him by the hon. and learned Member for Dublin; he, therefore, would crave leave of the House to correct the misrepresentations, because he (Mr. Hardy) found that what the hon. and learned Member stated had been trumpeted forth in the provincial newspapers.

Lord *John Russell* rose to order. The hon. Gentleman was not only travelling out of the matter of the petition before the House, but he was acting contrary to a standing order of the House, which forbade any reference to what had been said in a former debate.

Mr. *Hardy* only wished to have an opportunity to vindicate his character from the imputations that had been made against him.

The *Speaker* observed, that as the subject would come under discussion on a future day, perhaps the hon. Gentleman would find an opportunity to address the House on that occasion.

Mr. *Hardy* would then give notice, that when the Motion of the hon. Member for Greenock should be brought forward, he would take the opportunity, with the permission of the House, of vindicating himself against the aspersions that had been thrown on his character.

The petitions laid on the Table.

Breach of Privilege.—Sheffield Iris.] Mr. *Roebuck* rose to call the attention of the House to what he conceived to be a Breach of Privilege. He seldom addressed the House on personal matters, and on this occasion he should not have done so were it not under very peculiar circumstances. The House must be aware that during the present Session a Bill was brought in for compensation to Mr. Buckingham, and that, on that occasion, he thought it his duty to address the House, stating the grounds upon which he should give his vote, and his motive for opposing the Bill. The Bill was lost. He held in his hand a paper, which he would read to the House, in which certain accusations were brought against him, as a Member of that House, which he conceived was a breach of privilege. He begged to observe, that when the public press abused him in vague and general terms it gave him no pain; but when a definite charge of a criminal act was made against him, he thought it due to his own character, and his bounden duty to his constituents, to take notice of so gross a charge, and defend himself against it. The line he drew was a distinct and great one. So long as the public press gave utterance to feelings of dislike, hatred, or contempt of him in general terms, he regarded it not; but when it imputed base motives, and charged him with criminal conduct, he was bound in duty to himself and to the House, to take immediate notice of it. He would read what the *Sheffield Iris* had chosen to allege against him, feeling at the same time no pain at it, because the charge was really too absurd to be seriously believed by anybody. It was headed " Mr. Buckingham's Claims," and ran thus:—" We never felt more strongly in our lives, on a political question, than we did on hearing of the rejection of Mr. Tulk's Bill for compensation to Mr. Buckingham from the East-India Company. We felt that a great wrong had been committed towards a man who has too long suffered for his unceasing services in the cause of the public. We saw that injustice had again triumphed for a time, and that oppression and treachery had done their worst. We saw at once how that injustice had been perpetrated. We could not fail to see a foul and disgusting combination of Whigs and Tories, backed up by a perverse and wrong-hearted, if not bribed, Radical! Mr. Roebuck's name will henceforth remain as hateful to us as the word hypocrisy. His speech, playing into the Tory hands, was seized by them as a God-send, and, in utter ignorance of the facts of the case, he strengthened their corrupt and polluted hands by his delusion. We had not proceeded half way through the speech ere we heard the chink of the retaining fee at the close of every sentence; at every pause we saw, or fancied that we saw, his eager hand groping in the coffers of Leadenhall-street. In our mind's eye we saw him doubly enriched—rich in Tory estimation—rich in the gold of the East-India Company. To use an ironical expression, in use in these parts, 'much good may it do him.'" There was another part of the case he had to notice. He held in his hand two copies of the same paper, both dated the 1st of March. One was sent to him by the post, and did not contain the article which he had just read; the other was put into his hands by a person who wished to put him on his guard, and which did contain this article. The reason he had stated these facts was, to give the hon. Member for Sheffield the opportunity of wholly disclaiming any knowledge of this disgraceful conduct. He always admired straightforward conduct; he had, therefore, written to the editor of the *Sheffield Iris*, to demand an immediate, ample, and definite apology, stating, at the same time, that the letter demanding it should be printed and affixed at the head of the apology, for he was determined to make the apology as humiliating to the editor as the charge against himself was false and scandalous. He thought he had discharged his duty to the House in bringing the matter forward, and he trusted they would give him credit for the motive which had influenced him.

Mr. *Buckingham* felt himself called upon to answer the question put to him by the hon. and learned Member, and he begged to state distinctly that he had no knowledge whatever of the existence of the paragraph until he first saw it yesterday; that he had no communication with the editor on the subject; that he was as ignorant, in short, as the hon. and learned Member himself of the whole matter. He had been so many years a public character, that it was not very likely, at his late time of day, for him to write in the manner and in the terms adopted by the writer of that paragraph. He had written much, but no imputation of that kind had ever fallen from him. He, therefore, hoped the House would give him full credit for an entire non-participation in this matter. Of course, in a country, like this, where strong political feelings existed, and widely different opinions were sincerely entertained, it was natural that they should be expressed strongly. But he again begged to deny any knowledge whatever of or participation in the matter.

Subject dropped.

DIVISIONS OF THE HOUSE.] Mr. *Barlow Hoy*, on the Order of the day being moved for the House resolving itself into a Committee of Supply, rose, pursuant to notice, to call their attention to the want of success which had attended the new plan for dividing, by sending the Members into different lobbies at opposite ends of the House. Under the new practice a division had taken fifteen minutes, although there were only sixty-three members at one side, whereas, under the old practice, he had known a division disposed of in three minutes, when the numbers were 134 on one side, and fifty on the other. In another case only four minutes were occupied with a division in which the numbers were 198 and fifteen. Taking the average sittings of the House at eight hours a-day, he had calculated that the waste of time consequent upon taking divisions under the new plan would in a session of six months consume a whole week. He could not conclude without adverting to one other division which occupied twenty-seven minutes; it was true that on that occasion there were 400 Members in the House. The hon. Member moved "that the practice of taking divisions of the House in two lobbies be discontinued."

Mr. *Ward* did not consider the subject so much a matter of life and death, as that the proceedings of the House should be stopped on the question of going into a Committee of Supply for the purpose of considering and disposing of such a motion. It would be most extraordinary indeed if they were to rescind such a resolution as that after only a fortnight's trial—which certainly could not be considered a fair trial. He was ready to acknowledge, that if the publicity of divisions could not be obtained without such an expenditure of the public time as that which the hon. Member opposite described, the idea had much better be abandoned, but he entreated that the plan should first be fairly tried, at all events.

Mr. *Warburton* was opposed to a return to the old system which was one of doubt confusion, and obscurity, and he should certainly vote against the motion.

Lord *John Russell* admitted, that great difficulties lay in the way of taking divisions, and that considerable errors had occurred even under the new system; yet, at the same time, that system had worked much better than he had expected, and he thought the House was bound to give it a longer trial.

Mr. *Barlow Hoy* replied, he was the advocate for publicity in the fullest extent; but as the House seemed to entertain the opinion that the new plan had not received a fair trial, he would, with the permission of the House, withdraw his motion for the present, and bring it forward again in a few weeks.

Mr. *Ward* submitted, that as the motion had been brought forward, the House was bound to pronounce an opinion upon it one way or other.

Mr. *Rice* said, he must remind hon. Members that by voting now against the motion, they would not be precluded from taking the matter again into consideration at a future period.

Sir *Robert Peel* could not concur in thinking that the House was bound to pronounce an opinion upon a motion after the hon. Member who had brought it forward expressed a desire to withdraw it.

Lord *John Russell* was on principle most decidedly opposed to the motion being withdrawn. He strongly objected to the practice of hon. Members bringing forward motions on all kinds of subjects when the House was about to resolve itself into a Committee of Supply. He wished to limit this practice as much as possible, and on these grounds he objected to the motion being withdrawn.

The motion was put and negatived.

The question was again put that the House resolve itself into a Committee of Supply.

Mauritius.] Mr. *Borthwick* opposed the Motion for the Speaker leaving the Chair, in order that the House might resolve itself into a Committee of Supply. It was not his wish to impede the business before the House, but he at the same time must persist in bringing forward the Motion relative to the Mauritius of which he had given notice, unless the hon. Baronet opposite (Sir G. Grey) fixed some day when it should come on. He had endeavoured to bring it forward on two several occasions, but on each night, owing to some fatality or another, the House was counted out. As, however, he was far from desirous of throwing any obstacle in the way of the Estimates which were fixed for that evening, he should be but too happy if the hon. Baronet would relieve him from the necessity of pressing his Motion by appointing some day when it should come on.

Sir *George Grey* said, it was his wish to have the question to which that motion referred settled as speedily as possible. He had himself, however, postponed a motion of which he had given notice, in relation to the Mauritius, until Tuesday; and all he could say was, that if the hon. Member would consent to defer his motion until that day everything the Government could do to facilitate his bringing it forward then should be done; but beyond this he could give the hon. Member no pledge.

Mr. *Borthwick* could assure the hon. Baronet that he had no intention whatever to act in the present instance hostilely towards the Government; neither was it his wish that any part of the money intended for the Mauritius should be appropriated for the benefit of any other colony, because he considered that such a course would be exceedingly bad policy. He would at once adopt the suggestion of the hon. Baronet, and postpone his motion until Tuesday; but if it were not allowed then to come on, all he could say was that he would insist on bringing it forward on the next supply night, without caring what party suffered, whether the party on his side of the House, or the Gentlemen who sat on the opposite benches.

The House went into a

Committee of Supply—Navy Estimates.] Mr. *Charles Wood* rose for the purpose of offering to the Committee an explanation of the Navy Estimates. The general form of these Estimates was precisely the same as that in which they had been submitted for three or four years past; and as that had been so often and so clearly explained by the right hon. Baronet opposite (Sir James Graham), and last year by the noble Lord (Ashley), he would not trouble the Committee by going over the same ground. He would merely refer to those parts of the Estimates in which there was any prominent difference between the votes of last year and those of the present. Confining the statement to those services over which alone they had any power of reduction, there was a difference between the amount of the votes in this year and the last of 306,000*l.*; but in reality, the total difference between the expense of the two periods was only 256,000*l.*, the apparent increase arising from the fact that in the Estimates of last year a much larger sum than usual was obtained in reduction of the votes asked from Parliament, by taking in aid of the grants, the sums accruing from the sale of stores, &c. &c., for the period of a year and three quarters, instead of for the usual period of a year; and thereby exhibiting a great apparent reduction. In this arrangement he perfectly concurred; and he merely mentioned the circumstance to show that they had not the same advantages this year which the last had afforded. The first excess was an item No. 1, for the wages to seamen; and also in No. 2. This excess arose principally from the increase which was to be made in the number of seamen. As he should have to return to this part of the subject before he sat down, he would merely state that the expense occasioned by that increase was 220,000*l.* The increase on the votes, however, was only 204,000*l.* The difference arose, partly from the transfer of the sum of 10,000*l.* to the half-pay list, part of the arrangement of the Ordinary, and partly from a saving of 5,000*l.*, which had been effected by an economical arrangement. The charge for the Navy Pay-office was entirely omitted, an arrangement having been made by the Treasury for that head of expense, and this caused a difference to the amount of 22,000*l.* The next item in which there had been an increase was No. 10, the vote for the stores of the Navy, in which they had felt it their duty to propose an increase of 47,000*l.*, as compared with the charge of last year. He was desirous of stating that this increase was rendered necessary, because the vote of last year was unprecedentedly small; but although the increase he had just stated was made, the whole amount was 30,000*l.* below the lowest vote taken by the right hon. Baronet opposite (Sir James Graham), who certainly was not chargeable with any extravagance on that head. The next item of increase was in the miscellaneous services: if the miscellaneous services of this year had remained the same as those of last, there would have been a saving under this head of 3,000*l.*; but the increase was occasioned, first, by the establishment of an office for the registration of merchant seamen, and secondly by the expense of fitting out the expedition for the relief of the whale ships which were blocked up in the ice. Under the head of half-pay, there was a saving of 5,000*l.*; it would have been upwards of 12,000*l.*, but for an arrangement which transferred from No. 2 to No. 5 a charge of 7,000*l.*, occasioned by a proposed increase in the half-pay of pursers. He should also say, that there would be a larger prospective reduction, in consequence of an arrangement made by the present Board of Admiralty for extending to masters, surgeons, and pursers, a rule only applied hitherto to lieutenants and other commissioned officers, namely, only creating one new officer for every three vacancies. He had stated these facts to show, that although the present Government had enlarged some of the votes, they were not unmindful of principles of just economy, but were, on the contrary, prepared to carry them to the utmost extent consistent with the interests of the service, conscious as they were that they should deserve the censure of that House if they carried a desire for reduction so far as to impair the efficiency of the Navy, or lessen its utility. The Admiralty had also thought it right to afford, for the first time, a full explanation of several of the statements which appeared in the Estimate. He was inclined to think that by so doing they had pursued, not only a fair, but a prudent course. He had always held—and it was an opinion expressed last year by the members of the present Board of Admiralty—that it was the duty of every Government to afford, especially in matters of finance, the fullest information that they could furnish consistently with due regard to the public interests. They had acted on this principle; and in the explanatory statements of this year no point was omitted in which debate was likely to arise.

The first statement contained a detailed account of the officers and men employed in the service on the 1st of January in the present year. A prospective statement had been called for, but that hon. Gentlemen must be aware it would be impossible to give, from the constant variation of the force employed. They had thought it advisable to give a statement of the actual condition of the Navy on the last quarter-day, and that would be no bad criterion for the ensuing year. The statement specified the different services in which the several ships employed were engaged, and it would be seen that they had kept as near to the number of men voted as possible. In fact the number on the 1st of January only exceeded the number voted by two. The next paper was explanatory of an arrangement which the Government proposed to carry into effect with regard to the Ordinary of the Navy; and as he did not know that he should have any better opportunity of explaining the arrangement, he would avail himself of the present, and refer to it at once. The Committee were probably aware, that in order to take care of that portion of the fleet which was laid up in Ordinary, as it was termed, a certain number of officers and men were employed; the officers received half-pay, and allowances, amounting very nearly to their full pay. There were also warrant officers, and a certain number of men. The first step taken by the Lords of the Admiralty was to order a survey of the warrant officers. That survey was made, and upwards of 200 of them were found to be lame and infirm, or otherwise inefficient and incompetent for the discharge of such duties as they were called upon to perform. All these men were removed, upon superannuated allowances proportionate to their services. It was proposed that one of the ships in Ordinary should be placed in commission, and a captain, with a proper complement of officers, appointed to her. Those officers would look after the ships in Ordinary, while the captains, by being placed upon full pay, would be enabled to attend upon Courts-martial and to discharge other duties, which at present, in consequence of the small number of ships in commission, could not be discharged without very great inconvenience. Government would, under the proposed arrangement, gain the services of one captain and one commander in each port, while they got rid of the inefficient warrant officers and retained only such as were competent to the discharge of duty. One very great advantage that would result from this, would be the facility it would afford the Admiralty of sending ships to sea much more speedily than formerly. The persons to be retained in the places of superannuated warrant officers would be able men fit for sea duty, who might be sent out immediately without any notice. The way in which this was intended to work was this:—In the course of the last summer three large three-deckers had been put in commission as guard-ships, and equipped for active service in all respects except as to the number of men, which were to be kept below the full complement. By the proposed plan they would always have a sufficient number of able seamen at command to make up the full complement of those ships, which could, if necessary, put to sea within a few hours after an order from the Admiralty had reached them for the purpose. The same course might be pursued to a smaller extent in the event of fitting out more vessels; a party of marines and a number of these men would be put on board of each ship, and the nucleus of a crew formed at once, and thus would be gained an advantage of the utmost importance, as it would obviate the difficulty which had always been experienced in getting men when there was a pressing emergency for them—and this, too, without putting the country to any additional expense. They would substitute for the superannuated parties 288 qualified men, and this, with the 342 to be added, would constitute an efficient and well-educated force of 630 men, always at their disposal. A saving would be effected to the public of 1,062*l.*, which would be increased as the superannuated warrant officers died off. The third statement was the detail of the expense of the Royal Marines. As to item No. 10, it had been stated before, that there were very many things it would be impossible, consistently with the public service, to state in detail in the Estimates. In that opinion he concurred, and these items he must ask for upon the responsibility of the Government. At the same time that the Government asked for that confidence, they felt it their duty to include in such vote nothing upon which it was possible to give information consistently with the public service. They had, therefore, in framing the Estimates, removed much that was in No. 10 to No. 11.; and the former (No. 10) they had divided, including in the first item the sum necessary for the purchase of all sorts of stores, namely, 377,458*l.*, and the remaining services formerly included in one gross sum were now stated separately. The only other alteration related to officers on half-pay, the numbers and pay of each rank being now stated at length. He was not aware that there was any other topic upon which it was possible to give any information to the House which had been omitted from the Estimates. Having stated thus much in explanation of the general plan (any further information he should be most happy to give when each separate vote came to be considered), he should now lay before the House the grounds upon which he proposed to ask for an increase of 5,000 men upon the number in the Estimates of last year. The right hon. Baronet opposite (the Member for Cumberland), and certainly no one was better qualified to form an opinion upon the subject than he was, had last year, when a reduction in the number of men was proposed, expressed his doubts of the possibility of making such a reduction without seriously impairing the public service, and he (Mr. Wood) must say, that the experience of a year had proved to his satisfaction that those doubts of the right hon. Baronet were well founded. He would beg the House to look to the amount of our force, which could be strictly called naval. In the packet service there were employed 1,347 men. In addition there were six gun brigs recently employed in the packet service in which there were about 250 men. In the surveying vessels there were employed 664 men, and in the troop ships 183. This, not including the crews of the gun brigs, gave a sum of more than 2,000 men, leaving for our effective naval service less than 14,000 men. The first ground upon which he asked the House to consent to the resolution for an increase of 5,000 men was, that there was no British naval station in the world from which there were not pressing demands for an increased force. From the station in the Pacific, where the English trade was increasing very much, there were continued demands for an increase of naval force. The demands made upon the Admiralty in this respect had been reiterated through the Foreign Office by the Consuls of this country, as his noble Friend at the head of that department well knew. Again, similar calls had been made upon the Admiralty by the Consuls at Mexico and Valparaiso, by the merchants resident there, and on the whole western coast of Mexico, claiming this aid in protection of their persons and their property, and declaring such increased naval force to be absolutely necessary for this purpose. Similar applications had been made from the coast of Peru, which was in a perfect state of revolution, where there existed no Government able either to enforce its own decrees, or to protect the property of British merchants—property which could only be secured by the presence of a ship of war, which assistance the British merchants claimed. From the northern ports of the Brazils, which were in a similar condition to Peru, similar demands had been made, and the claims for protection to the trade in that part of the world had been supported by the merchants of Liverpool and other influential bodies. That such protection was necessary was shown by the fact, that a British merchant ship had been lately seized and, he was sorry to add, that her crew, save one man, had been murdered. Again, Sir George Cockburn, on the West-India station, called for additional force to put down the slave trade, which, he regretted to say, was again upon the increase in that part of the world, and was now carried on to a very great extent. From our North American station there were also complaints of the interference with our Newfoundland fisheries, both by the United States and by France; and it appeared that an increase of our force in the fishery season would be the only means of protecting our interests. From our Admiral on the East-India station there were also representations of the insufficiency of our naval force to check the increase of piracy; and the presence of an additional ship was urgently requested on the coast of New South Wales. His Majesty's Government had been also apprised, that on the eastern and western coasts of Africa, and to the south-west of Madagascar and Mozambique, there had been a very considerable increase of the slave trade, carried on under the Spanish and Portuguese flags; and the anticipation of the treaty with Spain speedily taking effect, gave a stimulus to this trade at the present moment, which it was desirable should be checked. The continuance of our fleet in the Tagus was requested by the Portuguese Government, and on the coast of Spain the presence of the British squadron had been of the most essential service, by affording moral support to the Government of the Queen and the cause of constitutional freedom in furtherance of the Quadruple Treaty; nor had they been less useful at Barcelona and elsewhere in protecting the Carlist prisoners from that retaliation which the excesses of the rebel forces had provoked. This was not, however, the principal reason he should urge in order to induce the House to consent to this addition of 5,000 men to our naval force. It was the intention of the Government to send a squadron to sea to cruise during the summer, for the purpose of giving both officers and men an opportunity of practising the evolutions of a fleet; which, from the scattered disposition of our vessels for the protection of our trade, could very seldom be done. The greatest advantage had been derived in this respect from the cruise which took place under the orders of the hon. and gallant Admiral, the Member for Devonport; and it was only fair to our navy to give them the same advantage as the navies of other powers enjoyed. The French and the Russians did not neglect this means of forming their seamen. From the best information he could obtain, the French would have twelve sail of the line at sea during the ensuing summer. In 1834, the Russians had five sail of the line cruising in the Black Sea, and eighteen sail of the line besides frigates in the Baltic. Last summer two divisions of nine sail of the line each appeared together at a review at Cronstadt; and after landing troops for the review at Kalisch, eleven sail of the line and seven frigates, besides smaller vessels carrying crews, amounting to more than 10,000 men, were cruising in the Baltic. During this same period, there never was in our channel ports more than two frigates and a sloop, with crews amounting, perhaps, to 1,000 men, disposable for sea service at any one time, and this only for a day or two. At the same time, all the line-of-battle ships this nation had afloat, in every part of the world, did not exceed ten. He did not wish to urge any arguments on this or to appeal to the feelings of Gentlemen as to the recollection of former days when the British navy was the unrivalled mistress of the seas; he stated the naked fact, that such was the existing state of things, and then confidently appealed to every hon. Member, whether or not it ought longer to continue? The cause of this state of circumstances was not the want of ships, but the want of men to animate the lifeless bodies lying in the harbours of the country, and which, so far as the ships were concerned, could be sent to sea in a few days, equal to any of the foreign fleets he had mentioned. Those ships could not, however, be manned without applying to Parliament, or having recourse to those forcible measures which it ought to be the great object of every man to avoid. It was, therefore, for the purpose of preventing being left in such a condition—a condition not consistent with the honour and interests of this great nation—that his Majesty's Government proposed an increase of 5,000 men. He would not say, that the Government would not be justified in demanding more; but the Government would content themselves with asking for such a number as would enable them at any time to send a squadron to sea, and might, as he had explained, in the case of the Ordinary, form, if need arose, a sufficient nucleus for manning a larger fleet. He begged that his proposition might not be considered as indicating any hostile intentions, or apprehension of approaching hostilities. That this country would not be the aggressor they had every security, and the further knowledge that his Majesty's present Ministers had preserved peace when it had been pronounced impossible to do so, by no light authority; and that no aggression was likely to be made by any foreign Power. In addition to the friendly disposition which he believed to exist, they would, by acceding to this vote, gain the further and best security for peace, that they would not be unprepared or defenceless against war. For these reasons, and so far as regarded our commerce, because he thought the revenue arising from that source could not be better expended than in defraying the charge of that protection by which our commerce was fostered and increased. He confidently anticipated the unanimous support of the Committee, and concluded by moving that 33,700 be employed for the sea service for thirteen lunar months from the 31st of March, including 9,000 marines and 2,000 boys.

Mr. *Grove Price* would be most happy indeed to hear from the hon. Member opposite any instance in which the officers of his Majesty's navy had interfered, as described by the hon. Member, for the purpose of preventing a retaliation on Carlist prisoners. On the contrary, however, he had heard that an English vessel was lying very near Barcelona when one of the most infernal masacres had taken place that ever disgraced a civilised country. He had heard, too, that when, a few days after, a riot had occurred, for the ostensible purpose of restoring what was called the constitution of 1812, there were not wanting British officers and men to aid the existing authorities.

Mr. *Charles Wood* said, that Captain Parker, of the Rodney, offered to land some of his men to check the outrages at Barcelona, as General Mina was absent, but was unfortunately assured by the Governor that the disturbance would pass over without any serious result. Captain Parker was afterwards principally instrumental in putting a stop to these proceedings in Barcelona. Lord Ingestrie too took the Archbishop of Taragona on board his ship, and was also instrumental in saving many lives, which but for his interference would have been forfeited.

Mr. *Price*, was most happy to hear this statement.

Sir *H. Verney* was understood to say that, no doubt if there were an occasion for the vaunted fleet of Russia, which seemed so powerful, to engage in a war, they would soon be brought back from the Baltic and Black Sea to harbour again.

Sir *Edward Codrington* had never known a naval officer sacrifice his duty for party feelings. Greatly as Lord Ingestrie had distinguished himself, and without at all detracting from the merits of that noble and gallant Officer, he must say that Captain Parker had exceeded him, for he had offered to lend his men to prevent the horrible massacre. The offer had, however, been declined by the Governor. As to receiving the unfortunate people on board, every British Officer would do the same, without inquiring whether they were Carlists or Christinos, Greeks or Turks, as had been shown by the conduct of Captain Hamilton. With regard to the proposed increase of the naval force, he was glad of it, and should have been better pleased to have seen that increase doubled. The increase was necessary, for hon. Members seemed to forget that this was a maritime and commercial country. On the first revolution in the Brazils he stated at the Admiralty that an admiral and at least five sail of the line ought to be sent out to protect the many millions of British property deposited there. He pointed this out as the only means of saving that property. This was not done, the property was destroyed, and British merchant ships seized for want of protection. To keep this country from insult, and to protect her commerce, a naval force was necessary, and he rejoiced to see the increase now proposed.

Mr. *Roebuck* said, he should be glad to know for what purpose Captain Parker had been stationed near Barcelona, and whether he interfered by the orders of the Admiral?

Admiral *Adam* replied, that Captain Parker had been sent to that station in order to carry into effect the quadripartite treaty. That gallant officer had offered (as had been already stated) to send his men to prevent the insurrection; the governor, however, said that it was unnecessary, for that all would go off quietly. He proved unfortunately erroneous in his opinion, but Captain Parker did not hear further until the insurrection had commenced—the prison was broken open, and it was then too late to stop it.

Mr. *George F. Young* expressed his full concurrence in the Motion before the Committee. The hon. Member for Halifax, in enumerating the naval strength of other countries, had omitted to mention that of France. [*Cries of "No! No!"*] He begged pardon if he was in error. There was, however, one point to which he wished to call attention—he alluded to the encroachments which had been made by France on British interests in the coast of Africa, and which would have been repelled, force by force, by the British naval commander, if he had had the means of doing so. At Porto Negro an outrage had been committed on British rights and interests, by the establishment of a blockade by the French, under which the British merchants had been interdicted from carrying on a very important trade from want of a sufficient power to enforce their rights, and protect their interests. He hoped the Government would take care that the parties who had been the sufferers on that occasion should receive a just and proper indemnity for the loss they had thus sustained.

Viscount *Palmerston* assured the hon. Member that on the occasion to which he referred there was no necessity for a recurrence to force, as recommended by the hon. Member. It was only just to the French Government to say, that a communication of an amicable nature took place between the two Powers, which led to a satisfactory termination of the matter.

Mr. *Robinson* was sure that the statement of the hon. Secretary for the Admiralty, as well as the proposal made by the Government, would be satisfactory to the country, and, above all, when it became known that the proposed increase did not result from any fear of hostile attacks. He thought also that the thanks of the country were due to the Government for the alterations they had made in the Estimates.

Mr. *Hume* felt bound to say, that the Estimates, which he held in his hand, were the best arranged that he had ever seen, and the most complete. He was sorry, however, that several sinecure situations connected with this branch of the service had not been abolished, and especially those of the generals and officers of marines. He contended, also, that the marine force was too numerous. In his opinion the statement of the hon. Secretary, as to the propriety of increasing the naval force, did not differ from the arguments which he was accustomed to hear from hon. Gentlemen opposite. It was stated, that an increase was necessary for the protection of our commerce, and especially on the coast of South America; but the United States navy, with not one-tenth part of the force which the English had there, was found efficient for the protection of American commerce. He had no hesitation in saying that the American commerce was much better protected than that of England. The Admiralty had often suffered the complaints of English merchants to be unredressed for ten years, but this had never been the case with respect to American merchants. The commerce of the country was equally well defended in 1817, when there were only 19,000 sailors and marines, as it was now when there were 32,000. In 1823, there were only 23,000 men, at which time a war was raging in the west of Europe. In 1828, there were 30,000, and then it was thought by many Members of his Majesty's present Government, as well as by Gentlemen opposite, that it was much too large a force. As for what his gallant Friend (Sir E. Codrington) had said, he would only observe, that he had never known a general in the army who did not applaud an increase in the land forces, or a gallant admiral who did not applaud the Government for increasing the naval force. They had been told that navigation was endangered from a want of British force; and although the crew of a ship belonging to his native town, Montrose, had been massacred, he had no hesitation in saying that they might increase the naval force to any extent, and still an occasional event of the kind would occur. He would ask, why should we, after twenty years' peace, have larger establishments now, than we had had at any time since the peace? They had been told that there was nothing to fear from Russia, he therefore protested against an increase of the naval force. The truth was, that hon. Gentlemen had talked so much about Russia, that they were afraid of a monster they had created. He was anxious to see the naval establishment of this country paramount, and he had never been anxious unnecessarily to lessen it, but he did not see any necessity for doing so in the present case.

Sir *James Graham* observed, that if he had not taken part on former occasions in the discussion of these Estimates, he should not have troubled the House on that occasion. Before he made any other observations, he felt bound to congratulate the hon. Secretary for the Admiralty on what was extremely rare, namely, praise bestowed by the hon. Member for Middlesex. With reference to the alterations in the arrangement of the Estimates, he had no hesitation in stating that the hon. Secretary, or rather the Board of Admiralty, were entitled to credit, as they were substantial improvements. He was glad to hear the hon. Member for Middlesex say that the present Estimates were clear and precise; they certainly were so, and nearly all that he had some years ago thought necessary, with respect to them, had been attained: he had commenced the present system of arrangement in this branch of the service, and it had been fully carried into effect by the present Board of Admiralty. He understood last year that a great diminution had been made in the number of the crews of ships of war actively employed; he had stated then that he thought this reduction of the effective force very injudicious, and he was still more satisfied now of the propriety of his observations. The subject had repeatedly been under discussion at the Board of Admiralty, when he was a member of it, and the best judgment the Admiralty could then come to was, that such a diminution of the crews even in times of peace was highly inexpedient.—Within the last few years the strength of vessels had been greatly increased; and it was only expedient, when they increased the effective force and size of their ships, that they should increase the number of able seamen on board. He well recollected that a gallant Admiral opposite had told him that it was more safe to go into action with six ships of the line fully manned, than with ten sail under-manned. Another important point to which he wished to advert was, the importance of increasing the number of boys on board our ships of war. He was glad that in this Estimate no diminution was proposed in their numbers; and he should have been glad if there had been an augmentation; but, at the same time, he wished it to be remembered, that he urged the employment of boys, as supernumeraries, not as part of complement superseding the service of able seamen. If, at the expiration of three years' service, these boys had not served sufficiently to become able seamen, he thought they should not be turned adrift, but that they should be received on board the guard-ships, or sent on board the smaller vessels to complete their period of service. He was of opinion, also, that those boys who thus entered the service, provided they behaved well, should never be lost sight of until they became rated seamen. He thought this system was most proper to a maritime state, as a system of volunteers was encouraged, by which ultimately the necessity of recourse to impressment might be diminished. On this point he could not help adverting to two or three appropriate observations contained in the last address of the American President to the Legislature of the United States. The President says—" As a means of strengthening this national arm, I also recommend to your particular attention the propriety of the suggestion which attracted the consideration of Congress at the last Session, respecting the enlistment of boys at a suitable age in the service. In this manner a nursery of skilful and able-bodied seamen can be established, which will be of the greatest importance. Next to the capacity to put afloat and arm the requisite number of ships, is the possession of the means to man them efficiently; and nothing seems better calculated to aid this object than the measure proposed. As an auxiliary to the advantages derived from our extensive commercial marine, it would furnish us with a resource ample enough for all the exigencies which can be anticipated. Considering the state of our resources, it cannot be doubted, that whatever provision the liberality and wisdom of Congress may now adopt with a view to the perfect organization of this branch of our service, will meet the approbation of all classes of our citizens." He next came to the most important topic to which he intended to call the attention of the Committee. He believed it would be in the recollection of the House that he had never been the advocate for a reduction of the naval force. The hon. Member for Middlesex had intimated that the friends with whom he was formerly connected in office had pressed for a reduction of the naval force. He denied that this was the case; on the contrary, that they had repeatedly urged an increase of this branch of the service; and he believed that it was in 1823 that the present Lord Brougham moved for an increase of the naval force. It was asked, of whom, then, are you afraid? He would say, although " we are not afraid of any one, let us be prepared to meet every one." It was necessary in these questions that confidence should be limited; but still to a considerable extent it must be placed in the Government. It was impossible at all times for the Government to explain fully the reasons for what they proposed, or what the ends were which they contemplated; but he thought when they did enter into explanations that they should be substantial and real, not illusory and deceptive. He did not think that an increase of the commerce of the country, or the demands of our merchants for protection, would be in themselves sufficient to justify the demand of an additional naval force; for if these were to be taken as substantial reasons, if the request of British merchants in every foreign port for the presence of ships of war be once admitted, instead of 5,000 additional seamen being sufficient, neither 20,000 nor 30,000 would be enough. The commerce of this country extended to every part of the world, and the British navy had always afforded it ample protection, even within the last four years, the period of large reductions. He had always said, that it was inexpedient to have a small naval peace establishment, because it was hardly possible to increase it rapidly in case of war. He was also of opinion that if this country was sincere in its desire to avoid impressment, this object could be most safely attained by keeping up a large naval force in time of peace. The hon. Member for Middlesex said, that it would be better to fit out a number of small vessels than to equip a force of line-of-battle ships. But he was satisfied that the best way to render a naval force effective, and to educate a body of efficient naval officers, was to have a squadron of large ships fully equipped and accustomed to manœuvre in line: therefore he had always agreed in the expediency of occasionally having large experimental naval squadrons. He should give his cordial vote in favour of the hon. Gentleman's proposition, and he trusted that it would meet with the general sanction of the House, for unanimity on the present occasion would add greatly to the moral effect of the vote.

Mr. *Charles Wood* was glad to have the support of the right hon. Baronet, to whom it was only justice to say, that the improvements about to be effected, and now in progress, were but the carrying out of the right hon. Baronet's own views and suggestions. With respect to what had been said as to the increase of men, he begged to remind the hon. Member for Middlesex that the men employed during peace were very different from those employed during war, and that the same observation applied to the boys. The right hon. Baronet had observed that the reasons assigned by the Government (if any reasons were assigned at all) should be real and substantial reasons, not imaginary ones. He begged to remind the right hon. Baronet that he had stated various reasons besides the one which he had attributed to him as his main reason. He also had assigned as a reason the necessity for maintaining a peace force sufficient for war, in case of an emergency, and the difference between the men employed in peace and those employed in war.

Sir *Robert Peel* said, there was only one point which called for observation, namely, the proposed increase in the naval force. No doubt that increase was very considerable, being not less than 5,000 men. The number proposed in the Estimate of last year was 26,500 men and 2,000 boys, and the addition to these of 5,000 men was certainly a very material one. But he had always contended, in opposition to the hon. Member for Middlesex, that the Estimate of any one year could not in any case be made a rule for any, even for the very next year. Circumstances might, at any point of time, suddenly arise, demanding an increase of force, between the Estimate of one year and that of the following year, such grounds for the apprehension of greater danger, or some other such consideration might intervene, as rendered it perfectly justifiable and proper to call for an increased demonstration of naval force on the part of this country. He could not see that on the present occasion there would be the slightest inconsistency chargeable upon those hon. Members who, having last year voted for the reduced Naval Estimates, now thought it their duty to assent to the proposed increase of our naval force. It did not follow that, because there was this year said to be a necessity for increased Estimates, that last year the reduced estimates were not adequate to the actual wants of the country, or the contingencies then contemplated, or *vice versa.* He was borne out in the conclusion by this, that when the last year's Estimates were presented to the House, with the single exception of his Right hon. Friend on his left, no objection was made to the proposed reduction. The hon. Gentleman had said very justly, that in the reduction in these departments he was only following out the example of a former Government and set by the right hon. Baronet. He had not objected to the reduction then proposed in the naval force, nor should he to the now proposed increase. He remembered that on the first day of the Session it was distinctly stated, that the increase to be proposed in this department was not in any way meant to convey a censure upon what was last year done, in reducing the naval force. When the parties responsible to the country for the due management of its affairs declared to the House, and in the Speech from the Throne advised his Majesty to pronounce his opinion, that an increased naval force was necessary for the purpose of protecting British commerce and of maintaining British interests, their recommendations, even though the precise object were not explained, were entitled to the attentive consideration of the House. There was no doubt but his Majesty's Ministers had access to information on this as on other subjects, which other Members of the House had not the advantage of; and it was very probable that they had access to information which it might be prudent for them not to make public. He thought there was one sentence in the speech of the hon. Secretary of the Admiralty which was not in harmony with the rest of his observations. The hon. Gentleman told the House that there was no apprehension of danger from any foreign power, and that the increase in our naval force was not proposed for the purpose of warding off any contemplated hostile attack, yet it was said that a numerous vote of the House was desirable, in order to give a moral force to that increase. He (Sir Robert Peel) did not exactly see in what way the unanimous vote of the House could give a moral force to an increased navy, if there were no apprehension of danger from foreign foes. An increased naval force might be necessary for the protection of our commerce; but he did not understand how the unanimity of the House in voting it, could give a moral force, if no hostility from foreign powers were feared. If such, however, were the feeling, he should be sorry to disturb the unanimity of such a vote. The hon. Member stated that the desired addition to our naval power was necessary, on account of the increase, which all must regret to hear of, in the scandalous traffic in slaves, on account of the continued contest in Spain rendering it more than ever essential to protect our commerce on the coasts of that part of Europe, and other reasons. Assuming, as he was bound to do, that all the facts brought forward had been correctly stated, and were well founded, he (Sir Robert Peel) felt called upon to express his decided opinion that such a combination of facts afforded an excellent reason why the House should take into consideration the propriety of acceding to an increased naval force. In consequence of the relations existing between France and America, these Powers had thought it necessary to increase their naval force. This being the case, although there might be no reason for apprehending immediate danger on the part of this country, yet it was most important that we should not neglect to keep our own navy in a state of efficiency. If other countries—even though friendly ones—powerful in their navies, were found to be increasing their maritime force, it was but a provident circumspection in a great naval power like England, to keep some pace with them, and not to allow ourselves to be taken by surprise, or be compelled, should the occasion come, to resort to sudden and possibly inefficient attempts at regaining our proper position. He would conclude his observations by repeating, that he should most certainly not make one in disturbing the unanimity with which, he trusted, this resolution would be sanctioned.

Lord *John Russell* observed, it was unnecessary for him to say much more than to express his gratification at the confidence so generally displayed by the House in the statement made by his Majesty's Ministers, that an increase of the naval force of this country was necessary. He was gratified in not having to support his hon. Friend against any opposition to his Resolution, but merely to advert to one point which had been misapprehended by the right hon. Baronet opposite. His hon. Friend had not merely stated the protection of our commerce as a sufficient reason for the proposed increase, but had explained, that while various circumstances had arisen in different parts of the world demanding new protection for our commerce, which protection must be afforded, at the same time, equally necessary to support a sufficient fleet in the neighbourhood of our own shores, which could not be done while, in various parts of the world, our commerce claimed and obtained an increased protection. He was ready to admit, that when the Estimates were laid before the House last year, there seemed no necessity for a higher estimate than what was then proposed, but he was satisfied that if an increase had been then shown to be called for, it would have been assented to. It was an absurd argument, in his opinion, that because other nations kept up a large military force, we should do so likewise; but, as a maritime country, we cannot be indifferent to the maritime force of other powers. On the part of France, a considerable increase of naval force had taken place, and his hon. Friend had clearly shown how great was the existing maritime preparation of Russia. He did not for a moment mean to say, that the great naval power of Russia was raised, or exhibited, as it periodically was, with any other than pacific intentions; but it would not be satisfactory to the British nation to see so large a naval force in the immediate neighbourhood of its shores, while we were without any force at all proportionate to it. With respect to foreign Powers, though we were, happily, at present, upon entirely peaceful terms with every nation, yet it must be always recollected that our foreign relations did not depend solely upon the will and inclinations or negotiations of our own Ministers, but upon various circumstances, and frequently upon mere accident. It should be recollected also, that in cases where we were negotiating for peace, the chances of success were greatly enhanced by our keeping ourselves in a position to command respect, and repel outrage —in a position to defend ourselves from insult, and our commerce from loss.

It was essential that we should even guard ourselves from the possibility of a surprise from whatever quarter. These were the considerations which induced the Government to propose an increased naval force; and he trusted that the House would, by an unanimous vote, not only accede to the increase, but give a moral effect to that increase. He thought that the assent of the whole House to the additional force, would produce a moral effect most beneficial in itself, and highly satisfactory to the country. The proposed increase, he would add, was not to be made in the contemplation of hostility on the part of, or against, any foreign Power, nor was it so understood anywhere. The sole object was, that the country should continue to maintain its high position among the European nations.

Mr. *Labouchere* said, that this estimate was not intended to be the permanent peace establishment; he did not consider that it would be for the honour or interest of this country, unless we kept up a naval force consistent with its high rank in the scale of nations.

Sir *George Clerk* thought, that his Majesty's Government, when they advised an increase of force on their own responsibility, were the only judges of the extent of that increase. He rose up to congratulate the Secretary for the Admiralty in having been able to satisfy even the hon. Member for Middlesex of the propriety of the present Estimates. [Mr. *Hume*.—He has not done so.]—If he had had to bring forward the present Estimates he thought he should have been better able to throw a sop to Cerberus. If anything should occur to bring us into collision with any foreign Power while our navy was in a weak state, we should run a great risk of tarnishing the national honour.

Sir *Edward Codrington* had himself seen, when he was at St. Petersburgh, twenty-four or twenty-five sail of the line there; he therefore considered it necessary that we should make a corresponding increase in our naval force in this country. He also thought that what was going on in the Black Sea required, and ought to meet, our immediate attention. It put our ancient ally, Turkey, in great danger, and we ought, therefore, to be ready to afford her immediate protection. He contended that it was the duty of the Admiralty to take care that the ships we had at sea were sufficiently manned, not with mere boys, but with able seamen; for, as an officer of some experience, he would say, that he would rather go into action with six ships sufficiently manned, than with ten ships insufficiently manned. Though fourteen men were attached to every 32-pounder in the action of the 1st of June, he had only had nine men and a half to every 32-pounder in the action of Navarino. He maintained that the ships in commission at our different ports should be very differently manned from what they were at present. A French frigate might now go to Spithead and commit any insult or injury she pleased, for he much doubted whether at this moment there was any ship in commission able to fight with such a vessel. He complained of the great want of encouragement afforded at present to the officers of the navy. The full pay of a lieutenant in the navy was 7*s*. a-day; his half-pay was 5*s*. a-day. What inducement was there for such an officer to volunteer his services afloat, and leave his family ashore, when by so doing he only increased his income by the paltry pittance of 2*s*. a-day?

Mr. *Grote* could not concur in what appeared to be the general feeling of the Committee with respect to this grant. He contended that nothing like a necessity for so large an increase as 5,000 men to our naval force had been made out by any of the hon. Members who preceded him. So far were large establishments from preventing war, that he verily believed that the uniform course of history proved that they always led to irritation and hostilities. The only thing in this debate which had sounded satisfactorily to his feelings was, the declaration of the Vice-President of the Board of Trade, that it was not intended that this Estimate should be a permanent one.

Mr. *Robinson* defended the opinions which he had formerly expressed, and said that complaints had been made by several of our merchants trading with South America that in the ports of that continent our naval force was in general inferior to that of the United States.

Captain *Pechell* defended the marine force of the country from the attacks which the hon. Member for Middlesex had made upon it, and contended that the present force of marines was necessary, as it would be inexpedient to have the whole force at once at sea. He supported the present increase of our naval force upon different grounds from those which had been selected by most of the hon. Members who preceded him. The right hon. Baronet, when in office, had refused to give protection to our fisheries on the coast of Kent and Sussex, on the ground that he had not a sufficient naval force for that purpose. [Sir *R. Peel:* the gallant Officer is mistaken.] Well, the right hon. Baronet had refused the protection, and he supposed that the right hon. Baronet would not have done so had he been in possession of a naval force sufficient for that purpose. The present Administration had a sufficient naval force, and they had given the British fisheries the protection which they required.

Lord *Dudley Stuart* expressed his readiness to vote this increase of 5,000 men. He was sorry that Ministers had veiled the reasons for which they demanded it. The real reason undoubtedly was, their fear of the designs of Russia. Instead of degrading the country by crouching at the feet of Russia, Ministers ought to have spoken out boldly in a language befitting the might of this nation, if they wished to do credit to themselves and benefit to their country. If they had spoken out as they ought to have done, and had avowed the real purposes for which they wanted this increase of force, he thought that they would have had the willing support even of the hon. Member for Middlesex. Great economist as that hon. Member was, he had never known that hon. Member object to the increase of any grant when good grounds were shown for it. Whilst on the subject of Russia, he should like to know whether it was true that Russia had established a blockade on the coast of Circassia without the courtesy of communicating it to other nations. He was sorry that his noble friend the Secretary for Foreign Affairs was not in the House. [*Lord Palmerston took his seat on the Ministerial Bench.*] He was glad to find that his noble Friend was so near. He was speaking on a subject that must be interesting to the noble Lord. He was speaking on the subject of Circassian blockade. A blockade had been established on the coast of Circassia without notice, and Russia had, as he was informed, seized a British ship, sailing under British colours. If this were the fact, what was it but an act of piracy? He was glad that a debate had taken place on this subject, for it would go forth to the world that this Government was beginning to feel what it ought to have felt long ago—a jealousy of the designs of Russia. The diplomatists of other countries were laughing at us, for the easy temper with which we had submitted to be first duped, and afterwards insulted by Russia. Though the subject before the Committee was a vote on the Navy Estimates, he hoped that he might be permitted to allude to the case of Cracow. The neutrality of that republic had been guaranteed by us; and yet foreign troops —the troops of the partitioners of Poland —had dared to enter upon and violate its territory, although the express words of the treaty were, "that under no pretext" whatever were foreign troops to enter within the confines of that Republic. Furthermore, it was reported that it was the intention of the Powers, who had so daringly and nefariously violated the neutrality of the Cracow, not only to remove from that republic all the unfortunate refugees from Poland, who dwelt there, but also to transport them across the Atlantic to starve, or to live as well as they could. He said "to starve"—for Russia had already transported to America some of the Poles, whose property she had either destroyed or confiscated, and the consequence had been that in America they had died from their absolute inability to procure the mere necessaries of life. If the three Powers who had so flagitiously violated the faith of solemn treaties by which they were bound to this country, should attempt to transport across the Atlantic the unfortunate victims of despotism whom they had just seized, he hoped that this country would interfere, and not permit the perpetration of so gross and wicked an outrage. On a future occasion, if no other Member brought the subject of Cracow before the House, he certainly would. At present, he would only say, that for the real purposes for which this increase of force was demanded, he would readily vote an increase not merely of 5,000 men, but of twice that number.

Mr. *Roebuck* defended the course adopted by his hon. Friend, the Member for Middlesex, on this vote, and said that it was undoubtedly true that if we did not pursue a different course from that which we had hitherto followed, Russia would take Constantinople, and shut us out from the Black Sea. He would not, however, increase our naval force on that account, for he would not have us interfere with her designs. We ought not to interfere for the balance of power, but only for specific insults, and for the protection of British interests. No case was, in his opinion, made out for this increase of force.

Vote agreed to.

The next vote proposed was 1,069,122*l.* for wages to seamen and marines, and to the ordinary and yard craft.

Sir *James Graham* thought it very desirable to hold out every possible inducement to seafaring men, of good character, to enter into the King's service, and to secure their steadiness and efficiency, by a system of rewards and punishments other than corporal. The best way of attaining this most desirable end was, in his opinion, to increase the bounty in volunteering, to enable the men, by good conduct, to rise to the rank of petty officers, and, at the same time, to increase the pay now allowed to that class. Such an increase would occasion an addition in the Estimates of not more than 10,000*l.* or 12,000*l.*, and sure he was that such a sum could not be more advantageously and efficiently applied. In all times of danger, in the most critical moments of peril and exertion, the petty officers had to set an example to the whole of the crew; they were already exempt from corporal punishment, and if, in addition, they had the stimulus of increased pay, very great general advantage would, no doubt, result to the service. He hoped the Admiralty would be induced to take this subject into their early and favourable consideration; and if, on reflection, they thought it advisable to propose any increase under this head, the House, he was sure, would manifest no reluctance to vote it.

Sir *Edward Codrington* was understood to ask the right hon. Baronet, the Member for East Cumberland (Sir James Graham), how it happened that retiring pensions had been secured to the Lords of the Admiralty, when there were so many gentlemen to be found who would be happy to fill the office of First Lord of the Treasury without such a stipulation? How came it that a late Lord of the Admiralty (Lord Auckland) had had a retiring pension guaranteed to him on his vacating office?

Sir *James Graham* said, that as far as his own case went, he (Sir J. Graham) had filled the office of First Lord of the Admiralty, but had not taken any pension in consideration of that office; that he had reason to believe, however, the noble Lord who succeeded him in office had, previous to accepting the appointment, stipulated that he should receive a certain pension for life, in case of his retiring.

Mr. *Hume* said, that if the insinuations made by the right hon. Baronet were founded in fact, they made out a very disgraceful case, both against the noble Lord and the Government who appointed him. He sincerely trusted that his Majesty's Ministers would be able to give a satisfactory reply to this charge, and show it to be devoid of truth. With respect to the right hon. Baronet's proposal to increase the pay of the petty officers in the navy, he thought that if a rule were to be made that half the lieutenants should be selected from that class of persons, there would be no need for any pecuniary addition of the kind, as an inducement to good conduct. He would ask the right hon. Baronet whether, during the whole time that he had been in office, one single mate had been promoted to superior rank? There were many of these deserving men, who had served for years during the war, and for years after it, and yet no one of them, as he believed, had been rewarded by promotion. No! promotion, both in the army and the navy, was reserved entirely for the Aristocracy, to the total exclusion of men of equal age and superior worth, who happened to be more humbly connected.

The *Chancellor of the Exchequer* said, that some observations had been made by the right hon. Baronet opposite in reference to a noble Friend of his, which, if that noble Lord were present, he was sure he would have had no difficulty in replying to satisfactorily; but as his noble Friend was not present, he (the Chancellor of the Exchequer) was perfectly ready to defend him from the charge imputed to him. It had been stated that some transactions had taken place between his Majesty's Government and Lord Auckland, relative to the appointment of the noble Lord as First Lord of the Admiralty, which an hon. Friend, near him, had characterised as highly disgraceful. Now, he begged to say, on the part of his noble Friend, that no transaction had taken place connected with that appointment which could attach any kind of stigma to the noble Lord; there was no transaction, he repeated, in which the noble Lord had taken part, which any person standing in the most intimate relation of friendship towards his Lordship could not be perfectly prepared to defend. The case was this—Lord Auckland stood possessed of an office at Greenwich Hospital, and also of a pension—both for life; and both these his Lordship had resigned before he entered upon the office of the First Lord of the Admiralty. The right hon. Baronet, therefore, had not done justice to the noble Lord, in stating one part of the transaction and withholding the very important fact that his Lordship had given up the pension and salary which he formerly enjoyed, to the public. It was not fair to give out either that Lord Auckland stood bargaining about the conditions at which he should accept office—that the post of the First Lord of the Admiralty was so poor a thing that it was not worth accepting, without some additional inducements being held out. There was no circumstance connected with this arrangement which could be looked upon as otherwise than highly honourable to Lord Auckland, and fully justifiable on the part of his Majesty's Government. He could not, therefore, but regret, that observations so totally uncalled for, as those which had fallen from the right hon. Baronet, should have been made upon this subject, which the House must perceive had nothing whatever to do with the question before them. He must take the liberty of saying to the hon. Member for Middlesex, that when he attempted to draw lines of distinction between the aristocracy and the people, they were distinctions which he (the Chancellor of the Exchequer) could not bring himself to understand. He maintained that the people had a community of interest with the aristocracy, because they had a chance themselves of rising to it by their own merit and conduct. The real question which was to be looked to was, whether the persons appointed and promoted were deserving of such promotion or not.

Sir *James Graham* had no wish to make any personal attack upon any Gentleman who was not present in that House or in the country to answer for himself, but it did so happen that the present was not the first occasion on which he had made this statement with respect to the noble Lord. Aspersions of a similar character had been thrown on himself (Sir James Graham). It was distinctly stated in the public papers throughout the country, that he had corruptly brought forward that arrangement with respect to pensions of Cabinet Ministers, in order to serve some sinister purpose of his own. Having at the time occasion to appear before his constituents—the slander having been circulated in his own neighbourhood—Lord Auckland being then in the country, he had felt it necessary in vindication of his own character to make a similar statement to that which he had uttered to-night; and Lord Auckland never ventured to deny the fact. He did not mean it as a stigma—it was only a statement of fact. He made no reflection on him personally. He did say, that he had brought in the Pension Act, the nature of which was to reduce pensions by one-third in amount, and one-fourth—from eight to six or from six to four, he did not know which—as to the number of persons who could receive them; and he added, as a remarkable fact, that so far from seeking a particular pension himself, the noble Lord who succeeded him in office had stipulated with the Government to receive it. [*An hon. Member:* the right hon. Baronet could not take it.] Not take it! Why not take it? Owing to a limitation which he (Sir J. Graham) himself, had as a Member of Government, introduced. It was the boast of that Government that he, as their instrument, had introduced a limitation which, from the passing of the Act, prevented retired Ministers of State, with adequate private fortunes, from going to the Treasury and claiming their pensions. He stated this at the time, and he now repeated it, that having introduced such a measure, he was, on relinquishing office, succeeded by a noble Lord, who refused to accept it, as First Lord of the Admiralty, without stipulating for a Parliamentary pension of 2,000*l.* He had no official information on the point. He spoke only from rumour; but he challenged the right hon. the Chancellor of the Exchequer to contradict that statement if it were wrong. True, the noble Lord had given up his office in Greenwich Hospital, at a salary of 600*l.*, and also a pension of 1,000*l.* a-year: and he would not attempt to detract from the merit of the noble Lord on that score. At the same time, however, when it was recollected that pensions of this kind were payable out of the Civil List, and therefore, literally, though perhaps not virtually, determinable with the demise of the Crown, it would be admitted, he thought, that the noble Lord had not acted unwisely or imprudently, by resigning it in exchange for a Parliamentary pension of 2,000*l.* for life.

The *Chancellor of the Exchequer* begged to observe in reply to the right hon. Baronet, that in respect to his notion of a stipulation, no such word had been known or heard of in the present case. In respect also to what the right hon. Baronet seemed to wish to suggest, namely, that a pension paid out of the Civil List, being held only for the life of the Sovereign, was one not of equal value with a Parliamentary pension—with respect to the ungenerous insinuation — [" *No, no.*"] No! he admitted that the right hon. Baronet did not actually say, that Lord Auckland acted upon this consideration, but he did suggest the notion of it; and what was the meaning of making suggestions of this kind, if at the same time he did not state his conviction of the contrary, and disclaim his intention of applying that suggestion to the particular case in question?

Viscount *Howick* thought it necessary to come forward and state distinctly, in behalf both of his noble Friend (Lord Auckland) and the Government, that the arrangement made was precisely one of that particular description which the Act of the right hon. Baronet himself was meant to sanction and provide for. What were the facts of the case? Lord Auckland, not possessing any very considerable income of his own, having a place in Greenwich Hospital, which, by the custom of the country, was considered as for life, and it being greatly for the advantage of Government that he should occupy the higher and more important situation of First Lord of the Admiralty, he stated to Lord Grey that it would be impossible for him, in his circumstances, to take an office of which, by a change of Administration, he might be deprived the following day, surrendering at the same time a permanent provision for life. Such was the statement made; and it was precisely to meet that case that the Pension Act had been proposed; because persons of inconsiderable fortune could not be expected to accept the higher situations in the Government, if by so doing they surrendered the provision they already had, unless some mode were adopted of securing themselves in the manner proposed by that Bill. Precisely, therefore, in conformity with that Act, a permanent pension of that kind was assured to Lord Auckland, he giving up the pension of 1,000*l.* he possessed under the Civil List, and the office of 600*l.* a-year he held in Greenwich Hospital. The whole arrangement was, therefore, perfectly and strictly honourable in every point of view.

Sir *Henry Hardinge* observed, that the noble Lord had put the case on its true ground, fairly, openly, and in that straightforward manner which was highly honourable to him. He must, however, be permitted to observe, that nobody blamed Lord Auckland in his absence for what had been done. But the right hon. Gentleman (the Chancellor of the Exchequer) had certainly not treated the question with the same manliness and straightforwardness. He accused the right hon. Baronet of having thrown out an insinuation against the appointment of Lord Auckland, for which certainly there was no ground or pretence whatever. It was perfectly true that Lord Auckland had acted with great prudence. What more had the right hon. Baronet stated? The noble Lord stipulated to give up 1,600*l.* a-year—partly at the disposal of Government, so that they might appoint others on the Civil List for a Parliamentary pension of 2,000*l.* But the right hon. Baronet had thrown out no insinuation against him for having so done. He only stated the fact, which had been borne out by the right hon. Gentleman (the Chancellor of the Exchequer), and the noble Lord (Howick) the Secretary at War. It was not, therefore, a fair or candid manner of treating the question, for the Chancellor of the Exchequer to insinuate that the right hon. Baronet had been impelled by any sinister motive to cast a stigma on the character of Lord Auckland, who, he repeated, throughout the transaction, could not be held to have acted, in a pecuniary point of view, a very imprudent part.

Lord *John Russell* agreed that the way in which this question had been dealt with was not perfectly fair and ingenuous. Lord Auckland on taking office had given up the office and pension which he had previously enjoyed, amounting to an income of 1,600*l.* per annum, but because his Lordship could not afford to do so, without the prospect of being secured in a certain income in return, the Government entered into the arrangement with his Lordship to which the right hon. Baronet opposite had alluded. The right hon. Baronet, however, had mentioned the fact of the arrangement, without ever mentioning the fact also that the noble Lord had given up his pension and his office of 1,600*l.* a-year. The alleged slanders against the right hon. Baronet might certainly have been talked of in his county, but he could not see why the right hon. Baronet might not have repelled those calumnies from himself, without, when that was done, saying something which seemed to cast a stigma upon the noble Lord who succeeded him in office. If the right hon. Baronet had stated all the facts and circumstances of the case, it would be seen that it was not simply because Lord Auckland became First Lord of the Admiralty that this arrangement was made, but because his Lordship also gave up his former pension. The hon. and gallant Member who had just sat down seemed to cast a sneer at what he was pleased to term the prudent arrangement by which Lord Auckland secured a Parliamentary pension for life in lieu of one payable out of the Civil List; and seemed to insinuate also that the Government by this arrangement had the power in their hands of filling up the vacancy in respect to the latter pension. Now the fact was, that this pension was paid out of two different funds, one-half being charged upon the 4½ per cent. duties, which consequently reverted immediately to the public, the other half being paid out of the Civil List. Now, with respect to any interest the Government might have in filling up this part of the pension, he could only state the fact, that it remained unappropriated for a considerable time, and was actually not filled up at the time the right hon. Baronet, the Member for Tamworth, came into office. If it had been filled up since, it had been filled up by the right hon. Baronet.

Sir *Henry Hardinge* took the liberty of asking what situation a Mr. Creevy held?

Viscount *Howick* replied, that Mr. Creevy had resigned the office of Treasurer to the Ordnance, and had accepted the situation which Lord Auckland had vacated.

Mr. *Goulburn* said, he would not prolong this discussion; but he must be allowed to say, that the right hon. Baronet, the Member for Cumberland, had not been fairly dealt with in this discussion; which, as the House was aware, had arisen entirely out of a rather pointed observation which had been made by the hon. and gallant Admiral on the other side of the House (Sir E. Codrington). No blame could, in his opinion, attach to Lord Auckland, for he was at a loss to conceive how any individual could be fairly called on to make such a sacrifice for the public service as would oblige him to incur great pecuniary loss.

Mr. *Curteis* observed, in reference to the subject of the vote before the House, that as an increase in the naval force was contemplated, old and meritorious officers should not be forgotten. He trusted that promotion would not for the future depend on aristocratic connexion or personal influence.

Mr. *Hume* said, that he must admit he had made use of a very strong expression with reference to a noble Lord, whose appointment as First Lord of the Admiralty had been brought under the consideration of the House. He should always feel regret when he used harsh language, when it was not warranted by the conduct of the party to whom it was applied; and he felt bound, in this instance, to state to the House that he would not have made use of the observation which he had expressed, if he had understood the matter in the light in which it now appeared.

Sir *George Clerk* alluded to the alteration which was to take place this year in respect of ships in ordinary. He perceived that instead of the three warrant-officers who were hitherto employed on board each of those ships to take care of them, the Government meant to place two or three seamen, in order to effect a saving in the salaries. Now he much doubted, in the first place, whether this arrangement would be productive of any real economy; for was it likely that these men would take as much care of the vessels intrusted to them, from which they were liable to be removed in a week or two, as the warrant-officers heretofore employed for the purpose, who were fixtures to the ship, and would naturally have a greater anxiety to preserve them in good condition. Besides which, would the hon. Member for Middlesex consent that the country should bear the expense of pensioning these officers? And would he think it proper to remove so many comfortable situations of from 60*l.* to 150*l.* a-year from the navy, without holding out an equivalent operating as they did, to induce in the petty officers and seamen good conduct, in order that they might, in their old age, be rewarded by such desirable provisions:

nor could he agree to the proposition of Government that the seamen in these ships in ordinary should be placed under military discipline. If that proposition had been advanced in an unreformed Parliament by a Tory Ministry, of placing ships in harbour, not in actual service, under military discipline, what an outcry would have been raised against it on constitutional grounds. He thought, considering the immense sums which had been expended on these ships, this was a question of great importance.

Mr. *Charles Wood:* The Government did not bring forward this alteration solely as a measure of economy, although they thought it would effect a saving of some moment in the Estimates: their object was to gain greater efficiency in this branch of the service. He had in his possession many eminent authorities in favour of the alteration proposed; but the best argument, in his opinion, was the fact, that 200 of these warrant-officers had been superannuated, being unable to perform even the slight duties which devolved upon them. And he thought it was not an unimportant benefit to the navy to substitute able and efficient seamen in the room of these almost totally inefficient warrant-officers.

Vote agreed to.

On the question that 110,302*l.* be granted for the salaries of officers connected with the Board of Admiralty being proposed,

Sir *James Graham,* in reference to the salary of the present Private Secretary to the First Lord of the Admiralty, wished to make one observation. He had been accused, in the course of the debate, of making "insinuations"—of casting out suggestions;" he should now merely state a few facts. When he (Sir J. Graham) held the office of First Lord of the Admiralty, his brother, Major Graham, was his Private Secretary. At that time Lord Althorp was Chancellor of the Exchequer. A Bill had been introduced for preventing officers on half-pay receiving their half-pay in conjunction with their salaries while holding any office under Government, but at the same time giving the Lords of the Admiralty discretion, in certain circumstances, to dispense with the provisions of the Act. His brother, Major Graham, applied to the Lords of the Treasury for their permission to receive his half-pay (he being a British officer), and also his salary, which would only together amount to 500*l* The case was referred to Lord Althorp, the present Chancellor of the Exchequer, and the present Secretary to the Treasury (Mr. Baring); Lord Althorp and the present Chancellor of the Exchequer were in favour of the grant—the hon. Member (Mr. Baring) was against it, and Major Graham received his salary only, amounting to 300*l.* a-year.

Mr. *Francis Baring* said, that as the right hon. Baronet had broken into what he must have known was a perfectly private confidential affair, he should feel released from all obligation to secresy, and should give the whole transaction unreservedly to the House. It was perfectly true, that under a clause introduced by the right hon. Baronet into the certain Act in question, authority was given to the Treasury to dispense in certain cases with its provisions; and to permit officers on half-pay to receive their half-pay in addition to their salaries; and it was equally true that the Treasury did not, in the case of the gallant officer, (Major Graham) the right hon. Baronet's brother, relax the prohibition in his favour. When he (Mr. Baring) consulted with his noble Friend, Lord Althorp, regarding his construction of the clause referred to, his answer was—"You will consider the permission to receive the half-pay as an exception to the rule, that rule being that the assent of the Treasury to that indulgence is not to be expressed in any case, but those intended by the House of Commons to receive the benefit of it, viz. old and distressed officers in reduced circumstances, holding situations under Government. When the gallant officer's case came before the Treasury, it was true that the assent of that Board was given; but when it came to his (Mr. Baring's) knowledge, he went to his noble Friend (Lord Althorp) and said to him—"Consider whether this, which will be almost the first case you will have to lay upon the Table of the House, in which you have exercised the discretion committed to you by that House, shall be the case of a gallant officer, brother of the First Lord of the Admiralty, one of the Cabinet Ministers." At the same time he told Lord Althorp that he considered all the private officers of the Admiralty were under-paid; and that if Major Graham thought fit to apply for an increase of salary, he would give the gallant officer all the support in his power. He believed a different arrangement had taken place with regard to the salaries of these officers, and that they were now better paid. He had thus detailed the whole matter to the House; it was a private and confidential transaction: the right hon. Baronet had thought proper to bring it before the House, and he (Mr. Baring) left it with confidence for their opinion.

Vote agreed to.

The House resumed.

HOUSE OF LORDS,

Monday, March 7, 1835.

MINUTES.] Petitions presented. By the Duke of RUTLAND, the Earls of RIPON and FALMOUTH, and the Bishops of LINCOLN, EXETER, and WORCESTER, from a Number of Places,—for Alterations in the Ecclesiastical Courts' Consolidating Bill.—By the Duke of RUTLAND and Lord ASHBURTON, from several Agricultural Societies, for Relief to the Agricultural Interest.—By Lord HOLLAND, from the City of London, for the Repeal of the Declaration imposed by Act 9th George 4th.—By Lord ASHBURTON, from Devizes, for Extending the Term Appointed for Payment of the Sum borrowed for building Workhouses under the Poor-Laws'-Amendment Act.

AGRICULTURAL DISTRESS—THE POOR LAW.] The Duke of *Rutland*, on presenting two Petitions from the Leicestershire Agricultural Associations, complaining of Agricultural Distress, and praying Relief, said, my Lords, in presenting these petitions, it is right that I should explain to the House that they were intrusted to my charge before the Committee was appointed for which they pray; and further, that since they have been in my hands an improvement has taken place in the prices of those articles of agriculture which were most depressed. Nevertheless, the petitioners have so little dependence upon the permanency of a remunerating price (which is all they seek or want), that they are exceedingly desirous of such a sifting inquiry into the causes of the distress under which they have laboured as shall prevent its recurrence. They have the utmost confidence in the power of Parliament to afford them relief. For myself, my Lords, I own that I have not such sanguine expectations from the result of the labours of the Committee now sitting in the two Houses of Parliament; yet it is impossible for me to despair when I have seen, after several failures on the subject, a measure emanate from Parliament, so wide, so salutary, and, in my opinion fraught with such beneficial consequences to all classes of the community, as the Poor-Law-Amendment Act. My Lords, I do not speak unadvisedly upon this subject; I have formed an official connexion with a Board of Guardians of a distant Union, as the guardian of one of the parishes; and having constantly attended the meetings, I have closely watched the working of the measure. And indeed, my Lords, I almost feel myself warranted in predicting that the most sure and efficacious relief of agricultural distress will be derived from the Poor-law Act. I have heard, and I can state the facts upon testimony which cannot be doubted, that the reduction of the poor-rates in those parts of the kingdom which have been already brought under the operation of the Act amounts to no less a sum than one million and a half per annum. If this saving was effected by the sacrifice and at the expense of the comforts of those whom we must always consider as deserving our most tender care and considerate attention—I mean the labouring and pauper classes—I am sure that I should not and, I am convinced, that not one of your Lordships would, countenance the continuance of the measure for another day. But I am as certain that no such result of the Act will take place, as that I am at this moment addressing your Lordships. On the contrary, it is my firm conviction, that its effect will be the improvement of the condition of the aged and infirm, the protection and encouragement of the industrious labourer, and the conversion of the hitherto idle and profligate into good members of the community. As such, I consider that the new poor law is identified with the relief of the agricultural interests. Before I sit down, I am anxious to bear testimony to the judicious selection of the officers by whom the new poor law is carrying into execution. It has been my good fortune to become acquainted with several of the Assistant Commissioners; and I must say, that persons more capable of fulfilling the important charge committed to them, more able in their expositions of the measure, and more temperate and forbearing in their difficult offices, could not have been selected.

Petitions laid on the Table.

ORANGE LODGES.] The Marquess of *Londonderry* rose to bring forward his motion with respect to the House of Commons' Report on Orange Lodges Societies. He confessed that he was not at all sorry that his motion had been deferred from Thursday to this evening, because it enabled his noble Friend (Lord Roden) to be in his place, and afforded him an opportunity which his noble Friend would embrace with satisfaction, to explain his views on this subject. Although it certainly was not his intention to enter into a discussion of the policy of the late measures adopted by his Majesty's Government, still he hardly thought that he could rise, with his feelings on this question, without in some degree alluding to the measures lately adopted towards that country which gave him birth, and to which he was so ardently attached. He had the satisfaction of seeing his noble Friend in his place; and whatever that noble Lord's sins might be with respect to the support of Orange societies, he (Lord Londonderry) did feel, from the high character and inestimable worth of his noble Friend, that there was hardly a man in Ireland who did not venerate and esteem him; and he was sure that whatever might fall from his noble Friend to-night would be received with that weight and consideration by their Lordships which he was so well qualified to inspire. Having said thus much of his noble Friend, he would advert to an observation which fell from the noble Viscount opposite the other night. It was with great surprise that he heard that noble Viscount state that he did not think that he (Lord Londonderry) had been attacked, and that there was therefore no occasion for the present motion. The noble Viscount made that statement, he doubted not, in one of his usual off-hand ways; and he questioned much whether the noble Viscount, involved as he was with his multifarious business, had found time to look into the circumstances that affected an humble individual like himself. But the noble Viscount did come down and state things in their Lordships' House sometimes in a very singular and off-hand manner. He remembered the noble Viscount coming down and saying, "Oh! as to the decree of Don Carlos, that was nothing—there was not a word of truth in that." He also remembered the noble Viscount standing up in this House and declaring that he had taken upon himself the Government of the country upon condition of carrying the appropriation clause into effect; but their Lordships had not heard any thing this year from the noble Viscount respecting that clause. He should be extremely obliged to the noble Viscount if, after the noble Viscount had heard his case, the noble Viscount would not entrench himself in silence as he sometimes did, but would get up and tell him whether, if the noble Viscount himself were in such circumstances as he was, the noble Viscount would allow those accusations—founded on no evidence, as he should presently show—which had gone forth to the public, and which had mixed him up in every way with the transactions of the Orange societies, and all those concerns of which so much had lately been heard, and of which he was as entirely innocent and ignorant as the noble Viscount himself, to remain unanswered and unrepelled? Having said this, he must also be permitted to say, that in his experience he had found that when any individual intended to bring forth documents for discussion, it was usual for that courtesy and gentlemanly feeling which ought ever to subsist in the Legislature of this great country, to be strictly observed; and that if documents were brought forward, to read them, not in a garbled and piecemeal manner, but *in extenso.* By the greatest good luck, as he had said on a former night, he had an affectionate and gallant son who would not allow a shadow of a shade to go forth against his parent's reputation, and he nailed down the individual to the charge which he had made, and the answer, or rather attempt at an answer, by that individual was most disingenuous, and little consonant to the feelings of Englishmen. Yes, the individual to whom he had alluded, had extorted a verdict of not guilty from the accuser; but the verdict was so twisted and entwined with other insinuations, that if their Lordships looked at the *animus* of the whole thing, it was impossible not to treat it with all the scorn and contempt which such a mode of proceeding deserved. He was, in the first instance, prepared to bring the whole subject forward, but he would not deny that some friends (he did not allude to his noble Friends around him, nor to the noble Duke who was at the head of his side of the House, but to some private friends) had offered him their counsel. They did not mean to say (as the noble Viscount did) that he had not been at all attacked, but they said to him this, "Oh, what do you care for Mr. Hume or Mr. O'Connell? Who cares for what they say? It would be a piece of supererogation for you to stand up, at your time of life, and after the years you have gone through in your public profession, to protect your character against such attacks. On the one hand your public services are known, and your character well understood and established; on the other hand, who are Mr. Hume and Mr. O'Connell? But their Lordships could not deny to themselves that those Gentlemen, by the unfortunate situation in which this country was placed, had succeeded in deluding one-half of the people of England by their gross misrepresentations; and whom besides did they direct? It would be in vain for the noble Viscount opposite or his noble Friends to deny, that the guiding hand of the present Government was from that quarter. When he saw this, he felt that an individual in his humble position could not, ought not, and dared not, for his own peace of mind, put aside with indifference these insinuations and accusations. But if his opinions had been erroneous, he had since taken up a journal which he considered the most able, most classical, and best journal of the day, in which he had read one sentence that at once decided him as to the course he should pursue. The writer observed that "innocent men who were subjected to slander, might take, and probably did take, the wisest course for themselves when they submitted in silence, consoling themselves with the consciousness of their innocence; but they did not take the wisest course for their fellow-men, and purchased their own private peace by sacrificing public utility. Besides, to expose a slanderer was like hunting down any other noxious creature." This sentence determined him to persevere in the course he had at first proposed to himself. He felt that he should most triumphantly succeed, before he had done, in exposing the slanderer by the evidence he should produce. Much of that evidence was contained in the public prints. The documents connected with Orange Lodges were all now in the hands of the public journals of the country. What had occurred in another place he could only know by the papers of the day. He saw by the papers that certain letters were read, not *in extenso*, but in a garbled manner; and from those letters certain inferences were drawn. This was evidently not done by the reporters: he did not blame them, because he was quite sure that the reporters of the newspapers were honourable men, who would not wilfully state any thing that was wrong, and would not make the substance of the speech differ in any degree from the sense of the speaker. The gentleman who delivered the speech to which he was alluding entered very much at length into details as to what had happened with respect to the Orange societies. He said, "He now came to some letters of great importance, which were to be found in the Report of the evidence lying on the table of the House. He alluded particularly to two letters purporting to have been written to the Marquess of Londonderry on the 29th and 30th of July, 1832. The first, dated the 29th of July, was from Colonel Fairman to the Marquess of Londonderry." The hon. Member had then proceeded to read the substance of those letters. He had said—"The writer gravely went on to tell the noble Marquess, 'The field is now open to your Lordship—the post of honour is exclusively your own. If, then, your Lordship would but profit of it, you would deserve well of this country, while at such a crisis you would confer fresh confidence on your own. In a long conversation I had yesterday with Lord Longford, he intimated that the brethren of Ireland were determined to resist all attempts the Liberals might make to put them down; at the same time reproaching us for our tameness, in not affording an aid commensurate with the evils by which we were menaced. In proportion to an increase in the numbers of our institution, the defeat of the seditious Whigs will be rendered more certain. Should your Lordship feel disposed to entertain views similar to my own, the Deputy Grand Master of England is now in your neighbourhood to give them efficiency." He would ask whether any man, on reading that paragraph, would not suppose that a letter had been addressed to him, involving the question of an alteration in the succession to the throne? When he read this he looked at the letters in his possession to see whether they would bear the construction that had been put upon them by others. He remembered in 1832 having received some letters from Colonel Fairman, and on referring to them he found that the extracts which had been read by Mr. Hume had been read in the most garbled and incorrect manner. He held the original letters from Colonel Fairman to him written in 1832. It was difficult, perhaps, to make their Lordships understand, without seeing the original letters themselves, the alterations, interpolations, and interlineations in the printed copy of the Report of the Committee of the House of Commons. He would therefore put the letters into the hands of the clerk at the table, that their Lordships might examine them, and see how completely they differed from the letters in the Report. Now, he knew nothing of Colonel Fairman, except his being, he supposed, an officer of the army. He never saw that individual, to his knowledge, and these were the only letters he had ever received from him. But seeing how much the letters in the printed Report differed from those in his possession, although purporting to be copies of the same letters, might it not be inferred that every thing coming from so incorrect a source partook of the same inaccuracies? There were no less than twenty-two differences between the printed letters and the originals. Not all important differences, certainly; but he had selected two or three that would give their Lordships an impression how very different might be the construction to be put on the letters addressed to him, from the construction on the letters in the Report. In the original letter addressed by Colonel Fairman to him, there was a passage running thus—"The abject slaves of a ferocious, revolutionary, and subversive Press." In the printed copy the passage ran thus:—"The abject slaves of a ferocious, sanguinary, and subversive Press." Now the words "sanguinary Press," were not in the letter addressed to him. In the original letter the words ran thus—"Unless men of influence and consideration immediately step forward as county Grand Masters," whilst in the printed copy the words were—"Unless men of stanch influence would immediately step forward as county Grand Masters." This, it was true, was not a very material difference; but it afforded an additional proof of the species of correctness which had been observed in the getting up of the evidence contained in the Report. In another instance, the words contained in Colonel Fairman's letter were—"In proportion to the increase of the members of our institution the defeat of the Whigs would be rendered more certain;" whilst in the printed copy the words were—"In proportion to the increase in the members of our institutions the defeat of the seditious Whigs would be rendered more certain." Here, it would be observed, that the introduction of the word "seditious" made a very striking and very important difference. Surely these were proofs of how far any thing that this gentleman had ever written or brought forward could be depended upon. There were not less than twenty two different interlineations of this description. He asked whether in any Court of Justice in the kingdom evidence so garbled would be taken as conclusive against a party accused? Nay, he would ask whether such evidence would for a moment be entertained? The twenty-two differences between the original letters and the printed copies were not merely differences of words, but differences of sentences. The structure and meaning of whole sentences had been changed. He would read to their Lordships the first letter he had ever received from Colonel Fairman. It was dated 29th July, 1832, and began thus:—"As a stranger to your Lordship I have to apologise for this freedom" (this, he thought, was sufficient to establish the fact, that up to the date of this letter—namely, the 29th July, 1832, he (the Marquess of Londonderry) knew nothing of Colonel Fairman)—"I have to apologise for this freedom, which I am emboldened to take as being the organ of an institution, the last report of whose proceedings I have now the honour of inclosing to your Lordship." Now according to the best of his belief—speaking upon a recollection of circumstances which occurred four years ago—no report of the proceedings of any society was inclosed in this letter. He could not positively remember, but to the best of his belief the letter contained no inclosure. Colonel Fairman continued —"In a conversation I lately had the honour of having with his Royal Highness the Duke of Cumberland, his Royal Highness was graciously pleased to inform me that he had written to your Lordship a few days ago on the subject." Now he wished to say—and he begged their Lordships' particular attention to the fact—that he declared upon his honour as a Peer, that from the time at which he had first been acquainted with his Royal Highness the Duke of Cumberland, up to the moment at which he was then speaking, his Royal Highness never communicated to him, either in writing or verbally, any one circumstance respecting Orange societies, Orange politics, or any thing connected with Orangeism. This was in strict accordance with the high honour and delicacy of that illustrious Prince, who well knew what his feelings had been upon the Roman Catholic Question; and although there was hardly any other political question which had come under discussion during his career in Parliament upon which he had not had some communication with his Royal Highness, it so happened that in this instance of the Orange societies no communication had been made. The declaration of Colonel Fairman, therefore, that he (the Marquess of Londonderry) had heard from his Royal Highness upon the subject, he must pronounce to be positively erroneous. The next paragraph of Colonel Fairman's letter was in these words—"As this (meaning the Duke of Cumberland's communication) "probably might arise from a suggestion of mine to Lord Kenyon, who now happens to be in town." Now as the communication had not taken place, as nothing had been said to him upon the subject by his Royal Highness the Duke of Cumberland, he could only conclude that the object of the writer in mentioning the name of that illustrious Prince, and describing himself as having been admitted to a private conversation with him, was, as being a perfect stranger to him (the Marquess of Londonderry), to give a notion of his importance, and to convey an idea of the confidence he enjoyed. The letter proceeded—

"As this probably might arise from a suggestion of mine to Lord Kenyon, who now happens to be in town, I am induced to be more explicit than perhaps I otherwise should have been. With Mr. Wright, of Sunderland, who was recently in London, I had some conversation on the great advantages that might result from an extension of such a society at this conjuncture. Conceiving its principles to be strictly in unison with those entertained by your Lordship, in the course of our communications your name was introduced, when that gentleman said, if the matter were taken up with spirit by you, the whole district would follow the example, and cheerfully join such an association. To urge it might be political for your Lordship to do so, in a personal sense, would be to offer you a very ill compliment; but to contemplate it, as shall presently be made to appear, in a patriotic view, the security of that part of the kingdom might be consolidated by such means. The pitmen would perhaps feel inclined to establish Lodges among themselves, which might operate as an additional stimulus to their loyalty, and would likewise prove a partial check against their entering into cabals hereafter, no less to the preservation of private property than to that of the public peace. Knowing that your Lordship has firmness to espouse the cause you approve, on this occasion I address you with the less reserve. When the altar and the throne are alike assailed—when infidelity and treason are boldly avowed—when a republic and a lord-protector are confidently spoken of —when, indeed, we have a Popish Cabinet and democratical Ministry, who, having given birth to a monster they can no longer control, are now alarmed at their own popularity, and are the abject slaves of a ferocious, revolutionary, and subversive press, little short of a miracle can work the salvation of our once happy country! It behoves us, nevertheless, to exercise our energies, and by measures at once prompt and vigorous, to stem the torrent that threatens to overwhelm us. By a rapid augmentation of our physical force, we might be able to assume a boldness of attitude which should command the respect of our Jacobinical rulers. What the Catholics and the Unionists have achieved by agitation and clamour in a factious cause, we might then be enabled to effect in a righteous one. If we prove not too strong for such a Government as the present is, such a Government will soon prove too strong for us; some arbitrary step would be taken in this case for the suspension of our meetings. Hence the necessity of our laying aside that non-resistance, that passive obedience, which has hitherto been religiously enforced to our own discomfiture. The brave Orangemen of Ireland rescued their country from rebellion, and their gallant brethren in England would as heroically redeem their own from such perils. On the one hand we have had minor difficulties to contend with, and less danger to surmount, though on the other hand we have not had the same encouragement, and an equal share of support from the higher orders. We have Lodges at Newcastle, Shields, Darlington, and round about, but they are merely trunks, without heads. Unless men of stanch influence and consideration would immediately step forward as county Grand Masters (I speak advisedly), it is of no manner of use for the classes in humble life to assemble for such purposes. The field is now open to your Lordship—the post of honour is exclusively your own. If, then, your Lordship would but profit of it, you would deserve well of this country, while at such a crisis you would confer fresh confidence on your own. In a long conversation I had yesterday with Lord Longford, he intimated that the brethren of Ireland were determined to resist all attempts the Liberals might make to put them down; at the same time reproaching us for our tameness, in not affording an aid commensurate with the evils by which we were menaced. In proportion to an increase in the members of our institution, the defeat of the seditious Whigs will be rendered more certain. Should your Lordship feel disposed to entertain views similar to my own, the Deputy Grand Master of England is now in your neighbourhood to give them efficiency."

To this letter he did not deem an immediate reply necessary, but in the course of two or three days he received another letter, which was in these terms:—

"Cannon-row, Westminster, 30th July, 1832.

"My Lord Marquess—In my letter of Saturday I omitted to mention that we have the military with us as far as they are at liberty to avow their principles and sentiments; but since the lamented death of the Duke of York, every impediment has been thrown in the way of their holding a Lodge. The same observation that was applied to the colliers might be attached to the soldiery. As Orangemen, there would be an additional security for their allegiance and unalterable fidelity in times like the present, when revolutionary writers are striving to stir them up to open sedition and mutiny. In trespassing thus upon the attention of your Lordship, I am not so presumptuous as to suppose that anything urged by me could influence your conduct; but understanding the Duke of Cumberland has communicated with your Lordship on this subject, I felt it my duty to put you in possession of certain facts, with which you might not be acquainted.

"I have the honour to be,
"my Lord Marquess,
"Your Lordship's very respectful and
"obedient servant,
"W. B. Fairman."
"To the Marquess of Londonderry."

When this second letter came to hand, he thought it necessary that he should reply; and when he recollected the period at which this correspondence took place, and what his feelings at that time were—when he remembered the violent measures which were in agitation and in the course of adoption—when he remembered the Birmingham Union, the Political Unions, and the Trades Unions which were formed in every part of the kingdom—when he remembered the attacks which were made in this town, on the houses of persons who were opposed to reform—when he remembered that even the persons of such individuals were not safe—when all these things pressed upon his recollection, he had no hesitation in saying, that he did feel that if it were possible to establish loyal associations to counteract the effect of those of a liberal and democratic character, it would in every way be a thing most desirable to attain. With this feeling strong upon his mind, he gave to Colonel Fairman a fair and honest answer. He (the Marquess of Londonderry) had not retained a copy of that letter, and in consequence had been obliged, through the medium of a private friend, to apply to the hon. Gentleman (Mr. Hume) by whom it had been quoted in the other House, for a copy of it. This the hon. Gentleman had consented to give, and he was thus enabled to read it to their Lordships. It was in these terms:—

"Wynyard Park, August 8, 1832.

"Sir—I am honoured with your two communications of the 29th and 30th ult. You do me only justice in believing that I would most willingly embrace every opportunity, and do all in my power to espouse the cause and establish the institutions you allude to, in this part of the kingdom."

When he expressed his readiness to facilitate, as far as possible, the establishment of the institutions alluded to, he never contemplated them in the shape of secret societies. If it had been his intention to introduce Orange societies into the north of England, he would naturally have first made himself master of the details of such societies. He would have attended the Orange societies in London, and have taken care to have had himself regularly and properly initiated as an Orangeman. But he had done nothing of the kind; and when he talked of lending his aid to establish institutions in the north, he meant only to establish institutions of such a nature and character as should unite the loyal and well-disposed part of the population in opposition to those who were carried away by the democratic spirit of the day. In his letter, in reply to Colonel Fairman, he added—

"But the present state of liberal Whig feeling in this very Whig county, and the very refractory and insubordinate state of the pitmen, entirely preclude the possibility of successful efforts at this juncture. I have had a full conversation and communication with Lord Kenyon on all this matter, who has been in my house these last two days, and I have no doubt he will convince his Royal Highness, as well as yourself, that the present moment is not the time when the object can be forwarded.

"I will lose no opportunity of embracing any opening that may arise; and
"I have the honour to be, Sir,
"Your very obedient servant,
(Signed) "Vane Londonderry."

He thought that the way in which he there mentioned the conversation he had had with Lord Kenyon, who was then staying at his house for a few days to enjoy the company of a common friend of theirs, the late Bishop of Durham, afforded another pretty strong proof that previous to that time he had had no communication upon the subject with his Royal Highness the Duke of

Cumberland. If such had been the fact, was it likely that he should have requested Lord Kenyon to communicate so and so to his Royal Highness? Shortly after he had written this letter to Colonel Fairman, he called upon Mr. Wright, of Sunderland, a solicitor of great respectability, and a man of very considerable ability, to ascertain the nature of the conversation which had taken place between him and Colonel Fairman, and also to learn what his views and feelings upon the subject were. Finding that Mr. Wright's name had been alluded to by the hon. Gentleman (Mr. Hume) who brought forward the subject of Orange Lodges in the other House the other evening, he (the Marquess of Londonderry) immediately wrote to that gentleman, and he would presently read to their Lordships the answer he had received. In the mean time he might observe, that up to the passing of the Reform Act Mr. Wright had been a great friend to Reform. Since that time, however, seeing to what an extent it was proposed to carry out the principle of innovation and change in all our institutions, Mr. Wright conceived that the best interests of the country were endangered, and, in consequence, like many other wise and prudent men, had become a Conservative. The letter which he addressed to Mr. Wright, was dated Feb. 26, 1836, and was in these terms:—

"Dear Sir—You will see Mr. Hume's speech on Orange societies. He has brought forward a letter, in which allusion is made to some conversation Colonel Fairman had with you as to the establishing Orange Lodges amongst the pitmen. Pray do me the favour to inform me in writing whether you ever communicated the substance of that conversation to me; also if I ever had any conversation or communication with you whatever on the subject of establishing Orange Lodges amongst the pitmen, either at that or any subsequent time?"

Mr. Wright's letter in reply was dated Feb. 28th, only two days after, and was in these terms:—

"My Dear Lord—I had the honour of receiving your Lordship's letter of the 26th inst. and in reply to your Lordship's inquiries, I beg to state that I never had any conversation with Colonel Fairman on the subject of the establishment of Orange Lodges amongst the pitmen, with whom, as your Lordship knows, I am in no manner acquainted; nor do I understand by the letter read by Mr. Hume, in his speech in which my name is mentioned, that any conversation with me as to the pitmen, is alleged by Colonel Fairman to have taken place. I recollect the time at which Colonel Fairman (to whom I was introduced in June or July, 1832) spoke to me of the public advantage he conceived would result from the establishment of Orange Lodges in Sunderland; and he asked me if your Lordship had much influence in that town? I expressed my opinion that your Lordship had much influence in Sunderland; but I doubted the necessity of establishing Orange Lodges there. It is possible it may have escaped your Lordship's recollection; but I remember in August, 1832, I was at Wynyard Park, on a visit to your Lordship, the very day Lord Kenyon left, and on the following day your Lordship mentioned to me that you had received letters from Colonel Fairman, soliciting your aid in the establishment of Orange Lodges in the north of England, and that you had written him an answer declining to interfere in the matter. I am certain this is the only conversation your Lordship and I ever had upon the subject of Orange Lodges, and know, both from the manner in which your Lordship expressed yourself on that occasion, and from your never having alluded to the subject in conversation with me since, that you never entertained the idea of establishing Orange Lodges in the north of England. It is, however, only justice to Colonel Fairman to say, that in all his conversation with me he appeared to be a gentleman totally opposite in character to one who could entertain any treasonable designs, and a person incapable of uttering the expressions which I see by the newspapers are attributed to him."

This, he thought, was a pretty strong corroboration of what he (the Marquess of Londonderry) had already stated as to the course he had taken upon the subject. The third letter he received from Colonel Fairman was dated Atkinson's Hotel, Glasgow, October 3d, 1833, and its only object was to inform him (the Marquess of Londonderry) that a grand Conservative dinner was to take place at Glasgow, and to request him to attend it. The writer added—"I am now upon my way to the Duke of Gordon's, where an answer from your Lordship will reach me, which I will lose no time in communicating to the Secretary." To this letter, as far as he could remember, he replied, that he should have the greatest satisfaction in attending the meeting at Glasgow, and he believed he wrote to the Duke of Gordon at the same time, or about the same time, to say that he was desirous to use every effort in his power to organize loyal and constitutional associations to counteract what he conceived to be the baneful influence of the Liberal and Radical associations which had become so general in every part of the kingdom—associations which the Government of the day refused to put down. He (the Marquess of Londonderry) had called upon the noble Earl, who then presided at the head of the Government, to take some steps for the suppression of these associations; but the only answer he could obtain was, that they would subside by themselves. Finding, from this short reply, that nothing was to be done to put down these associations, he thought he should only be acting in the upright feeling of a loyal subject if he endeavoured to meet the system of organisation which had been commenced on the one side, by establishing a similar system on the other. As the letters he had read—which were all that had ever passed between him and Colonel Fairman—were dated in the years 1832 and 1833, he thought that their Lordships, and even the noble Viscount (Melbourne) opposite would admit, that there could be no possible connexion between them and the alleged project for altering the succession to the throne, which was not supposed to have been entered into until the year 1835. He thought that the noble Viscount would admit, that this part of the case was quite clear with respect to the variations between the original letters and those read in the House of Commons; supposing Colonel Fairman to have been guilty of these inaccuracies—supposing the inaccuracies themselves were apparent, there was still another circumstance of a more important character for their Lordships to consider. He asked their Lordships what they would think of an individual who had got these private letters and these private answers into his possession, to be produced—not at the moment of his obtaining them—but at some other convenient opportunity? Colonel Fairman's letters were produced, he supposed, by the order of the House of Commons, on the inquiry before the Committee appointed by that House to investigate the Report of Orange societies; but their Lordships would observe, that the hon. Member for Middlesex, in his statement on that subject a short time since, in the other House, declared that he had only obtained possession of his (the Marquess of Londonderry's) reply to those letters a few hours before he went down to the House and opened the debate. Now he begged their Lordships to look a little to the facts. It was fortunate, perhaps, that the Member for Middlesex did, under any circumstances, get that letter of his into his possession: because, otherwise, supposing that there had been no answer to Colonel Fairman's letter, the hon. Member in his usual liberal manner might have said, "Oh! here is the proposition made to Lord Londonderry, but there is no answer, and, therefore, of course, Lord Londonderry has assented and agreed to all the propositions which Colonel Fairman laid before him." By good fortune, therefore, not by the base and atrocious conduct of some one or other, this letter of his had come up; and as the Member for Middlesex had read a portion of it on a former occasion in another place, he (Lord Londonderry) had felt compelled to trouble their Lordships with the whole of it that evening. But he asked their Lordships how it was possible that that letter could have got into the hon. Gentleman's possession? Now, he would put a case to the noble Viscount (Viscount Melbourne) similar in all respects to that which had occurred between him and Colonel Fairman. A great deal of mystery hung over the production of the letter of which the Member for Middlesex got possession at so very opportune a moment. He could not charge Colonel Fairman with having delivered up to his (the Marquess of Londonderry's) political enemies what he had written to him privately; but yet, by some strange circumstance or other, a letter which he had so written to him privately, at the end of four years, was for the first time brought to light at the very moment it was wanted by the Member for Middlesex. He would now put his case to the noble Viscount (Viscount Melbourne), who though not Grand Master of an Orange Lodge, was Grand Master of the British Government, with a Deputy Grand Master, under whose dominion he feared he was too much placed. As Grand Master of the Government, the noble Viscount of course would have a Secretary. Now that Secretary might be a very clever fellow, but he might also be a very deep one—he might be an admirable writer—he might write in the noble Viscount's name—he might receive answers to letters so written, and keep them in his own possession—he might write philippics in the newspapers against the noble Viscount's political adversaries—all these things he might do; but in the end it might turn out that the Secretary had deceived the noble Viscount very much, and on any slight difference between them, he might desert the noble

Viscount, and having certain letters in his possession, might, four years afterwards, place those letters in the hands of one of the noble Viscount's political opponents to be used in debate against him. Supposing, for instance, that he (the Marquess of Londonderry), one of the noble Viscount's political opponents, had got hold of a number of his private letters surreptitiously, by purchase or otherwise, what would their Lordships think of him if he came into that House and read those private letters without giving the noble Viscount any notice that he was going to do so—without giving him the means in any shape of showing how he had been deceived, and upon the strength of particular passages contained in those letters, drew insinuations or founded charges against the noble Viscount? What would their Lordships think of him if he were to take such a course? Why, they would treat him with all the contempt and ignominy which such a proceeding would deserve. How, then, was such conduct to be defended in others? Would the noble Viscount get up in that House to vindicate the conduct of his partisans—those to whom he owed his political existence? It was to be observed that this was not a solitary instance of groundless accusations being brought against Conservative Peers. A similar license had been permitted to another individual. He understood that in his own particular instance a sort of joint stock affair was made of it between the hon. Member for Middlesex and the learned Member for Dublin. These were the acknowledged friends of the Government. He said, therefore, that the noble Viscount at the head of the Government was bound to tell the House whether he approved of this mode of attack upon individual character—whether he thought it honourable—whether he thought it did his Government credit. If he were to look at the *animus* of the attack, he should think that it was a good deal connected with an arrow which some time since was shot from the same quiver, when the attention of the other House was called to the part which he (the Marquess of Londonderry) had taken at the great loyal and Protestant assembly which took place in the north of Ireland in 1834. He gloried in the part he took on that occasion; but what was the consequence? From that time forth he was a marked man, and the object of the grossest and most malignant attacks, ever and again repeated, in the other House of Parliament. It was impossible, indeed, that the malignity of those attacks could be surpassed by anything except the boast which was made of their success in Ireland. Such was the treatment of those who honestly upheld the loyal and Protestant interest in that country. And thus again it happened, that the discussion of the Orange Lodge question was not the only object contemplated by the hon. Member for Middlesex when he brought forward his motion in the other House. He believed that the determination, if possible, to get rid of Orange societies, was fixed in the minds of Ministers previous to the motion of Mr. Hume—previous to that hon. Gentleman's moving on the subject at all; but he believed that in the minds of that hon. Gentleman and of some others with whom the Government was associated, there was mixed up with a desire to debate the Orange Lodge question, a strong desire to attack some of the noble Lords who sat in that House. It belonged to him, and it belonged to the noble Viscount opposite to stand up and vindicate the Peers. Coupling the attacks made by the learned Member for Dublin on that branch of the legislature, with what was brought forward by the Member for Middlesex the other night, he begged to ask distinctly whether the noble Viscount did not feel that this combination between these two individuals was intended to go a little further than the mere Orange question? He hoped that the noble Viscount (Viscount Melbourne) would express his approbation or disapprobation of such language as that which he was about to read—language attributed, by the ordinary channels of information, to the hon. Member for Middlesex—"I must consider the Lords as destitute of a fellow-feeling for their countrymen, as out of the pale of general society. The time is come when this is the universal conviction of the community. I am ready to repeat the assertion. This state of things cannot last long. The people are opposed to the Lords; the intelligence and respectability of the country are against them. This is my conviction." When the hon. Member for Middlesex made those remarks, he must have forgotten the recent elections for Northamptonshire and several other parts of the country, where the people had elected the very persons who were anxious to retain the British Constitution in the shape at which it at present existed. The general development of the hon. Member for Middlesex's speech in the other House of Parliament was by no means received in the way in which that hon. Member expected; but he had been informed that his Majesty's Ministers did nothing but cheer. He must conclude, therefore, that the whole affair was backed up, approved, and applauded by them. It was therefore the more necessary for him to take his stand in that House, and endeavour to extort from his Majesty's Ministers, which he hoped and trusted he should do, a declaration of the mode and manner in which the whole subject was brought forward. He could not sit down without saying a few words upon the subject of the suppression of Orange societies in Ireland. His Majesty having been pleased to take the advice of his Ministers and of the Commons upon that subject, God forbid that he should say anything calculated to breed dissatisfaction or discontent! But let the noble Lords opposite, and let the Government seriously reflect how much the success of their new policy must depend upon the exertions of his noble Friend, the noble Earl (Roden) near him. He begged those noble Lords and the Government to remember what the Protestants of Ulster did in 1834. He trusted in God that the measure might be successful, and that it might lead to the establishment of that sort of union in Ireland, without which he believed in his conscience Ireland would not long remain attached to the British Crown. But as the noble Viscount had been so strenuous and so prompt in putting down one party, let him ask whether he would use the exertions—whether he would employ the same power to put down Radicalism? Dared the noble Viscount to take such a course?—Dared he to shake off the incubus which weighed upon him now, depressing his energies and warping his power? Let the noble Viscount come down with such a declaration, and he might depend upon it that he would meet with firm and honest supporters on that side of the House.—Though of late he and the noble Viscount had been deeply opposed in political opinions, yet remembering old and intimate associations, and knowing the honourable and candid mind of the noble Viscount, he declared it was not from any party feeling that he made this appeal to him, but from a conscientious conviction that the position in which Ireland stood at this moment was of a highly dangerous description, and if the present policy were pursued, would be fatal to the interests of both countries. Let it not be supposed that he spoke alone from his own feeble and imperfect judgment upon that point. He had received information from Ireland, from one of the best men in that country; and as the noble Viscount seemed the other night to treat what he had said with a sort of slight, because, he supposed, it was not substantiated, he should beg leave, before he sat down, to read a letter which he had that very day received from Ireland. It was an interesting letter, for it proceeded from a man whose superior integrity or intelligence he challenged any one to produce. The letter which the noble Marquess read was as follows:—"The gratuitous insult put upon the Orangemen in Ireland by the exclusive introduction of that body into the address of the House of Commons, at the dictation of a well-known individual, has been strongly felt in Ireland; and some unwise and thoughtless young men who had assembled in the Grand Orange Lodge have injudiciously passed a vote of censure on the occasion; but, you may rest assured, that the good sense of the body at large will prevail, and that the Orange institution will be dissolved." Such were the principles and such was the practice of Orangemen. They considered the expressed wish of the Sovereign, solemnly delivered, as binding upon them as a law; and he was authorized to state the fact to their Lordships, and draw a comparison between the conduct of the Orangemen and the conduct on former occasions of their opponents. When his Majesty's present Ministers came into power, he had declared that he entertained much more apprehension of danger to the Protestant interest in Ireland from the use which would be made of the royal prerogative in that country, than from any positive legislative measure. His view had been borne out by the result. At that very moment a severe penal code was enforced in Ireland against the Protestants; and those alone were appointed to fill offices of dignity who were political Papists, and religiously intolerant. He had always maintained that Catholics ought not to be excluded from office any more than Protestants. But was Ireland to be now placed in such a situation that those who had been Orangemen, and who might therefore be deemed ultra Protestants, were never to hold office, but were to be passed over without notice by Government? If that was the course to be pursued, it would be pursued in direct contradiction of the general principles on which they had asserted the eligibility of Catholics to civil offices. The noble Marquess concluded by saying, that he was very grateful to their Lordships for the attention with which they had listened to him while he had endeavoured to express his sentiments on the subject, and to exculpate other noble Lords as well as himself from the charges which, by the most base, disgraceful, scandalous, and unworthy means, had been prepared against them.

Viscount *Melbourne* believed there could be no possible objection to the noble Lord's motion, and not intending to oppose, he should have wished, before addressing their Lordships, to have heard all that could have been urged on the subject which the noble Marquess had brought under their Lordships' attention, especially as he understood some objections were to have been made to the course which his Majesty's Government had taken in reference to that subject. But he felt himself bound at once to say something in reference to what had fallen from the noble Lord in a speech which was of a disorderly character, for the greater part of it consisted in allusions to the proceedings in the other House—a practice that would be most inconvenient, and would lead to endless disputes and altercations. He was not, however, inclined to interfere, because the noble Lord was determined to consider himself as accused, and would enter on his defence. He had said on a former occasion, that the noble Marquess stood completely exculpated, and that there was nothing against which he had to defend himself. But although he was of that opinion when the noble Marquess intimated his intention of making the speech which he had just made, he could not say that he was precisely of that opinion now that he had heard the noble Marquess's defence. In his (Lord Melbourne's) opinion the noble Marquess had made out a stronger case against himself than had existed before. He was exceedingly unwilling to enter into any discussion; for it was his most anxious wish that all which had passed might be forgotten; that it might all be buried and lost. That happy consummation appeared to be obtained by one of the letters which the noble Marquess had read, although there were parts of that letter of which he could not approve. He was always prepared to make the fullest allowance for the acts of human beings under excitement such as that to which the noble Marquess had referred as existing in the year 1832. It was not surprising that the noble Marquess should be anxious to bring together in Ireland at that period as many persons as he could collect who concurred with him in the principles which he supported. But, as to Colonel Fairman's letter to the noble Marquess, although he willingly admitted, that unless that letter contained something which it would be criminal to conceal, it could not possibly inculpate the noble Marquess, who was merely the receiver of it, he (Lord Melbourne) should be very sorry to be made responsible for all the absurd and extravagant letters which were sent to him. But he begged to say, that the letters of Colonel Fairman contained some very strong passages. They pointed distinctly to resistance to his Majesty's Government. These passages appeared more strong, when it was recollected that they were written by a soldier, and to a noble Lord who had himself been a soldier; and yet, in reply, the noble Marquess said nothing about those passages. He merely stated his anxiety to co-operate with those who were engaged in the support of Protestant interests; and that although the noble Marquess had stated that he knew one of the alleged facts in the letter to be false, namely, that he had received any communication from an illustrious Duke on the subject, he could not therefore wholly exonerate the noble Marquess on the subject. The noble Marquess had extensively censured the course which had been pursued with reference to the Orange societies. There was only one part of that course for which his Majesty's Government was responsible; namely, the Address to his Majesty from the House of Commons, or rather the King's answer to that Address. He (Lord Melbourne) repeated, however, that he was most anxious to dismiss the whole subject. He was averse to all societies of a secret character. Whether they were corresponding societies or political unions; whether they were presided over by Princes of the Blood or only by operative mechanics, he had always considered—although he was aware that they might comprehend many men of the highest honour and sincerity—that they were dangerous. The members of such societies did not know what they had done, what they were doing, or what they might do. And when the whole conduct of the society was presented to their view, they were surprised at the proceedings of which they, without being aware of it, had been partakers. Honourable men, in such societies, unavoidably got into the hands of men, of agents, who were seldom persons of the greatest discretion, of the purest motives, or of the best conduct. But, although he had always disapproved of such associations, he had always felt the great difficulty of putting them down. He trusted, however, that on the present occasion, the feeling which had been manifested on all sides, and the course which had been pursued by the leaders of the society in question, would produce results much more sure and satisfactory than could have been obtained by any positive law. Being accomplished in that manner, it would be much more advantageous to the country, and would effect more certain and permanent good. The noble Marquess complained of the exclusive system which at present prevailed in Ireland. He (Lord Melbourne) did not believe in the existence of such a system. He was always desirous that patronage should be exercised with as little party influence as possible. He had always lamented the necessity that a popular Government should be conducted by a party; and that the Sovereign and the country should thereby be deprived of the assistance of so many men who were qualified to render the State essential services. But it was evident that every Government must confide in those who entertained political opinions similar to their own. As far, therefore, as the patronage of the Government in Ireland might have been so exercised (that it was so exercised to an unjustifiable extent he utterly denied), that was not their fault or crime; it was attributable to those individuals who either had separated themselves from the Government to which they were formerly attached, or who had set themselves to oppose that Government in a manner which the rules of the House would not allow him to call factious, but which was certainly injurious to the country. The noble Marquess asked if individual who had belonged to Orange Lodges were henceforward to be excluded, on principle, from any official situation? His answer was, undoubtedly not—unquestionably not. If such a course were pursued, it would introduce a system of exclusion and disabilities which he would be the last man in the world to support. The Lord-Lieutenant might not think it his duty to employ men who conceived themselves so bound by their former character as Orangemen, that they must act in complete conformity to that character; but he (Viscount Melbourne) was quite convinced that nothing further than that was intended; for to exclude individuals from office, simply because they had once belonged to Orange Societies, would be great injustice. He must again declare the gratification which he felt at the sentiments which had been expressed, and the disposition which had been manifested, to concur in the intimation contained in the Address of the House of Commons, and in his Majesty's Answer; and he hoped that they should now for ever get rid of this painful and distressing subject.

The Marquess of *Londonderry* observed, that the expression in his letter referred to the Government. It was that, "by a rapid augmentation of our physical force, we might be able to assume a boldness of attitude which should command the respect of our Jacobinical rulers."

His Royal Highness the Duke of *Cumberland* said, I trust that I shall be excused for addressing to your Lordships a few words, and I assure you they shall be very few; but your Lordships would think me unworthy of a seat in this House, if, standing in the predicament in which I do, I did not boldly, manfully, and distinctly state my feelings upon the present occasion, especially as your Lordships have unfortunately heard my name so often made use of on the present occasion—not that I shrink from one single act I have done, or from one single word that I have said; for, thank God, I have done nothing, nor said anything that I need be ashamed or afraid of. It is idle for me to tell you, that I have been, for the last six months, abused, accused, and treated in the most cruel manner that ever human being was treated — nay, if what has been said of me were true, instead of standing here in my place as I now am, a Member of your Lordships' House, I ought to be at that Bar for the crime of high treason. No man will believe, that surrounded by such men as are around me, I could have been such a madman as to have had such ideas as are imputed to me. My Lords, ever since I have had the honour of a seat in this House, I have been the firmest, strongest, most determined supporter of all legitimate Government. I am convinced that if any madman could have the idea, or had the idea of proposing such a measure, there is not any one of those noble Lords near me, that would not be ready, as I am, to sacrifice the last drop of our blood in defence of the innocent person. It is not we who have entertained the idea, but those persons who would not only not be satisfied with the dethronement of the Sovereign, but would overturn the Monarchy if they could. "Measures, not men," are my cry; and if any of the party with whom I have been acting, should in any way deviate from their principles, I should be the first man to oppose them. I certainly was, and I do not deny myself to have been, the Grand Master of the Orange Lodges. I did not seek that post or wish for it. It was offered to me, and I did not accept it until I had the full concurrence of his late Majesty, George 4th, who not only said to me, that he should be glad I did accept it, but that he knew that it was in good hands. Upon that I accepted it, and I appeal to every Orangeman, either in this country or in Ireland, if I have not been a zealous, true, and honest Orangeman. What are the fundamental principles of Orangeism? "Fear God; honour the King." I cannot give a stronger proof that I have been true to my principles, than that, even prior to the information given me by Lord John Russell, I had already come to the resolution of complying with the Resolution of the House of Commons. At the time I first became Grand Master of the Orange Societies, circumstances were widely different from what they now are. Your Lordships must remember all the changes that have taken place since 1827, when I was first appointed Grand Master. Your Lordships know that there never was a more strong or firm supporter of the Protestant interest than the individual who is now addressing you, and I became Grand Master solely with the object of supporting the Protestant cause in Ireland—a cause which I considered to be in the greatest possible danger. It is my feeling, and I am convinced of it. I would have done everything in my power to keep the Protestants of Ireland and England together. That was the sole and only object that I had at heart, and from the moment that I heard that his Majesty had discountenanced the Orange Lodges, it was my duty, strict to my principles, to give up that which I thought was disapproved of. At the same time I say that I never shall change those principles. I declare, my Lords, that I look upon the Protestant cause in Ireland to be in the greatest danger; and moreover, my Lords, you must excuse me for saying, that I am equally afraid of the Protestant cause in this country. I beg distinctly to say, that I mean nothing personal; but when I come to see the things that have taken place within the last three weeks, I must say, that I think there is not a Protestant in this country who must not feel alarm. After what has been stated, I shall not detain your Lordships longer, except to say, that I will never flinch from the support of the Protestant interest.

Lord *Wynford* wished to vindicate himself from the charges brought against him, and at the same time could not help treating them with the contempt which they deserved. His connexion with the Orange Lodges was a short one. He became a member about three years ago. He was told by the illustrious Duke, who for many years had honoured him with his friendship, that the object of the Lodge was to inculcate true loyal principles, and to support the Protestant interest throughout the kingdom. He asked if there were any secrets or oaths, and was told there were not, and then said that he had no objection to become an Orangeman. He had attended the lodge but three times, and was ready to declare, upon his honour, that upon no one occasion had he ever heard principles inconsistent with that which was the foundation of Orange Institutions, viz. the principle of supporting the illustrious family now upon the Throne. He had been wickedly and infamously charged in another place with conspiring with his noble Friend, who sat behind him, (Lord Kenyon) to change the succession to the Throne. Their Lordships would naturally suppose that such a charge would be made upon some evidence. He had caused the report to be examined, and no such letter was to be found upon which the charge was made. He should like to know how any person could excuse himself for charging another with treason against the country, merely upon a letter, which he knew could not be proved, and dared not avow the source from which it was obtained. If that person would say where he had obtained it, then he would tell some other secrets which that person was informed of, but which the world did not know. The letter of Colonel Fairman was written full seven months before he was an Orange-man, and before he had any idea of becoming an Orangeman. [The noble Lord read the letter.] He knew that from the honest manly course which the illustrious Duke had always pursued, in support of those principles which he had ever avowed, it was not unlikely that in a mixed company he would meet with enemies, and that if any indiscreet man had proposed the health of the illustrious Duke in such a company, it was not unlikely that it would have been turned to bad purposes. Remembering the duty which he owed to the family of the illustrious Duke, not only as a subject, but as an individual, he told Colonel Fairman not to make this appeal, except in the presence of those whom he knew would answer it in the manner in which it ought to be answered. Upon this was founded the charge of high treason against him. It might be possible that an individual entertained angry feelings against him, and he (Lord Wynford) knew that individual did entertain angry feelings, but it was not he who placed that individual in the situation in which he was placed. The angry feelings which that person entertained towards him (Lord Wynford) no doubt, worked him up to put the construction which he did upon the letter. He (Lord Wynford) might have written a great number of absurd letters, but he was sure that no man whose mind was not perverted by some sense of supposed injury could possibly have put the wicked construction which was put upon these letters. As to Orange Lodges in the army, he denied that he had ever been present on an occasion when Orange Lodges in the army were proposed. There was some talk about establishing an Orange Lodge at Rome, but, most unquestionably, he had no hand in that. The first time he heard of Orange Lodges in the army was from the letter of the illustrious Duke, and he (Lord Wynford) was the person who proposed a vote of thanks to him for having, after the Commander-in-Chief's order had been issued, put an end to these Orange Lodges.

The Duke of *Cumberland:* I never did consent to an Orange lodge in the army. On the contrary, when it was proposed to me that Orange Lodges should be instituted in the army, I distinctly said, that according to my military principles, no Lodge ought to exist either in the army or navy.

Lord *Wynford* thought that some had been instituted. He was a party to a resolution that no officer of the society should ever think of instituting an Orange Lodge in any regiment or ship of war; because they all thought that, notwithstanding the principles inculcated by Orange Lodges were such as were calculated to make men good subjects, the institution was unfit for the discipline of the army.

The Earl of *Roden* was desirous of addressing their Lordships upon the present, and he would say one of the most important occasions, upon which he had ever felt himself called upon to address the House. He was fully sensible of the responsibility of the situation in which he stood, and of the duty he owed to those with whom he was connected. He could not but express his sincere gratitude to the noble Lord, the Marquess of Londonderry, for having postponed his motion, and thereby afforded him (Lord Roden) an opportunity of addressing the House. Connected as he had been, for some years, with the Orange institution of Ireland—well acquainted as he was with those principles upon which it had been established, and sincerely attached as he must be to the sacred cause which it had espoused, he should indeed lament that any opportunity should have been given to any individual to enter upon any subject connected with the interests of this society, or of misrepresenting what its objects were, if he were not to be present, in order to answer them. But no such misrepresentations, no such insinuations, had been made by any noble Lord within those walls. There had not been, and with truth there could not be, any insinuation made against the honour, the integrity, or the loyalty of the Orange institution of Ireland. There however might be, and he was free to admit that there was, very great difference of opinion amongst many excellent and valuable men as to the expediency of having such an institution in existence. While that might have been the case with respect to their Lordships' House, there had been elsewhere charges brought against that institution, which he would venture to assert were as strongly marked by vulgar abuse as they were conspicuous for their malignity and falsehood. Such statements as had gone forth through the medium of the public press—he would not say from whom, or from what quarter—never were surpassed in falsehood and malignity. He should occupy more of their Lordships' time than became him, were he to go through these charges *verbatim et seriatim*, but there was one, although it had been alluded to by the illustrious Duke, as well as the noble Lord who spoke last, to which, notwithstanding, he must also take the liberty of referring, as a member of the loyal Orange institution in Ireland. It had been stated—had gone the round of all the public prints, and had been asserted with such a degree of effrontery as to have gained it the belief, not only of the ignorant, but of well-informed men—that it was the intention, not only of the noble Lord and the illustrious Duke, but of the Orange society itself, to endeavour to change the succession to the throne of these realms. He really did not imagine that such a ridiculous idea could have been harboured in the mind of any man possessing the least claim to common sense, or having one grain of common honesty in his composition. If he could have supposed such a thing possible, would it not have been his duty, and would he not have felt himself called upon, in common justice, to claim from their Lordships the appointment of a Committee up-stairs to examine upon oath into these charges, and upon oath to prove triumphantly that they were infamous calumnies? It was not, however, for him to stand up in the House of Lords, in order to establish the loyalty of the Protestants of Ireland. It was not for him, at that time of day, to claim from their Lordships an acknowledgment of the attachment, fidelity, and loyalty of the Protestants of Ireland to their various sovereigns, from the reign of Elizabeth down to the present period. He was able to refer them to the history of the country for the proof of that attachment, in which their Lordships would find a record of their achievements inscribed in every line of it. If it were necessary, he could also refer their Lordships to more modern times. In fact, in every period they would find, whatever might be the question, whether the support of the British interests, or the preservation of the legislative Union between the two countries—whether it was in the year 1793, that of 1798, the year 1803, or whether it was at a more recent date, no matter at what time, or upon what occasion, provided the interests of the British empire were assailed—the Orangemen of Ireland threw themselves into the breach, and were the first to sacrifice all they possessed, in order to prove the sincerity of their oath of allegiance to the heirs of the House of Hanover. He was induced to make these statements in consequence of the vile accusations which had been made against that loyal body, and now he would beg leave to ask for a moment who were their accusers? They were individuals who were sworn to protect the Protestant church in Ireland, and who were, notwithstanding, doing all they could to undermine it, and to starve the clergy who were the ministers of that church. Who were their assailants upon that head? Why, those very demagogues who a short time ago were fawning and flattering those Orangemen whom they were now anxious to destroy, but whom they were then endeavouring to induce to join them for a repeal of the Union. But they found those Orangemen too loyal to their own cause. They found that they would not listen to the suggestions of their pretended friends, because they well knew that the proposition meant nothing short of a dismemberment of the British empire. Again, he asked, who were their slanderers? Those very agitators who knew the power and the moral worth of the Protestants of Ireland—who were aware of the power which the Protestant cause had received from the brotherhood of the Orange society, and who found that the members of that society were, and ever had been, the insurmountable barrier to their revolutionary intentions. He remembered having heard it said, that in ancient times, when one had done Rome a service, and was falsely accused, he pointed to the Capitol, thereby calling forth the recollection of his deeds, which constituted a sufficient answer to the charge which had been made against him, and so with the Protestants of Ireland. They, however, could do more; they could justly say, that they had served their country in its deepest peril, and in corroboration of the fact, point to the province of Ulster, and give an answer to the calumnies circulated by their enemies, in the tranquillity and prosperity of that Protestant portion of the country. He was speaking warmly on the subject, but he also felt warmly. He was ready to admit, that the Orange institution, or any such institution, using secret signs, or consisting of any affiliated members, was not desirable to be maintained in any country which could be considered in a wholesome state, or in which life and property could be said to meet with a just protection, and in which the Executive was found to deal out with an impartial hand the favours that belonged to the Government. In such a country he readily admitted that an institution of the nature of the Orange society in Ireland might not have a beneficial tendency. But could that be said of Ireland? Was the law vindicated there? No such thing. It lay a dead letter upon the statute-book. Were, then, the lives or the property of his Majesty's loyal Protestant subjects in Ireland safe, or were they protected by the Government of the country? In answer, he would refer their Lordships to the murders which were daily occurring, as appeared by the newspapers, and to the state of the Protestant clergy. What were the scenes continually presenting themselves to public attention? They were scenes which plainly indicated the want of protection to life and property in Ireland; even the common process-servers were not safe from the hand of the assassin, who thus prevented the establishing of legal rights. He would refer their Lordships, as an instance, to the case of Mr. Beresford, by whom an application to the Executive for the protection of a process-server was made. The necessary aid, however, was refused, the consequence of which was that the process-server was murdered. There were many cases of this kind, in which were contained grave and weighty charges against the Government of Ireland—charges which he hoped the noble Lord (Plunkett), when he should stand up in his place in that House, would explain. The policy of the Irish Government towards the radical party in that country would be found to be nothing more than a sop to Cerberus; for, instead of pacifying them, it would more than anything else that could be adopted, have the effect of urging them on. The Protestants of the country conceived, and justly conceived, that they were left to themselves. The first impulse of nature taught them to awaken to their own preservation, and, on finding themselves deserted, they naturally became united; and unless their Lordships were prepared to see the dismemberment of the empire at large, they would be obliged to take some other means than those now in operation for the prevention of so woeful and calamitous an event. The noble Viscount, when speaking of the Orange Society, did not seem to be aware of the feeling that existed amongst the lower classes of Protestants connected with that institution in Ireland, in consequence of the course his Government was pursuing. Neither, perhaps, was the noble Viscount aware that the Orange institution had its origin amongst the humbler classes, and that it was on account of other societies having been first established, and on account of the great depredations those societies continued to commit upon the Protestants of the day, that they deemed it necessary to establish in their defence the Orange institution. That institution had "grown with its growth," and gradually increased in the affections of the people. The Government, by adopting the course mentioned in his Majesty's reply, would, in his opinion, set an example, and adopt a precedent which before long might be brought against their Lordships' own House; nay, even to the destruction of the Constitution itself. He could not avoid saying that his Majesty's Ministers would have pursued a much more fair and regular course had they brought forward a Bill on the subject of the Orange society. It was now five years since he had joined the institution, and he did so because he perceived at the time that the Orange societies were most calculated to preserve and maintain Protestant interests in Ireland. He still thought similarly; he still thought them of the greatest utility to the country; but, as a loyal subject, he was ready to attend to any wish which his Sovereign might express. He at the same time thought that his Majesty's Ministers had given his Majesty very bad advice indeed, when they advised him to give such an answer to the House of Commons' address; but, as he said before, it was the sincere wish of his heart to bow to his Majesty's decision, whatever it might be. He did not know whether their Lordships were aware that no one individual had the power to dissolve the Orange institution, but such was the fact. That power rested solely in the Grand Orange Lodge, upon being duly and properly convened for the purpose. A meeting of that Lodge was now convened for the 14th of next month, to take into consideration what course ought to be pursued under the present exigencies of the society, and he conceived the best mode in which he could evince his allegiance to his Sovereign, his attachment to his brethren, and his duty to his country, would be in attending that meeting in person, and expressing his sentiments, whatever they might be, upon the subject. Their Lordships could not possibly understand the nature of the union which existed between the members of the Orange society. It was an union of affection and brotherhood, which he could not undertake to describe. That brotherhood might cease—it probably would cease—but he trusted the principles upon which it had been founded never would. It was well for those who could look beyond the politics of time, and see over all such transactions a great master-hand causing all things to work together for good, according to the counsel of his own will; and he trusted that his Protestant brethren in Ireland would remember, under all the trials to which they were now subjected, and to which they might still be exposed, the source whence their former deliverances had arisen, and the power of that Providence who had so often manifested his care over them for the sake of his own righteous cause. He should feel it his duty, as he had said, to attend the meeting of the 14th of April, when he should declare that line of conduct which, desirous as he was to secure the tranquillity and promote the best interests of the country, he was anxious to adopt. What the effect of his recommendation might be he could not, of course, pretend to say; but he knew the affection which his Protestant brethren had towards him, for which he owed them a debt of gratitude he never could repay, and which should never cease to be felt and owned while life itself remained. Having said thus much in vindication of his own conduct, he hoped their Lordships would forgive him for taking up so much of their time on the present occasion.

Lord *Plunkett* observed, no one could entertain a stronger sense of satisfaction than he did at the determination at which the noble Lord had arrived, with respect to the course which he should pursue at the meeting of the Orange Lodges in Ireland; but he could not help expressing his regret that the noble Lord, having most properly arrived at that conclusion, had, in a great part of the address made to their Lordships, introduced topics which he considered most unnecessary, and which, though they might not be intended for such a purpose, were, nevertheless, well calculated to prevent that advice which the noble Earl had ultimately determined to give to the body from being so efficacious as if they had not been so strongly dwelt upon. It was quite fair for every person belonging to that association to feel an anxiety to state the motives, and express the opinions by which he is actuated in coming to the conclusion of dissolving this society. It was a great mistake to suppose that any person interested in the welfare of Ireland, or the welfare of the empire, could feel disposed to act so mean a part as either to entertain or express any sentiment of triumph at the dissolution of the society. It was no less a mistake to imagine that the dissolution was the result of a trial of strength between Protestants and Roman Catholics. The resolutions addressed to the Throne by the House of Commons were passed by a Protestant House of Commons—nine-tenths of the Members belonging to which were Protestants, and not one-tenth of which recognised the Roman Catholic religion. He considered the dissolution of Orange Lodges as the triumph, not of Roman Catholics over Protestants, but he looked on it as the triumph of Protestants and Catholics, as well as of the law itself, over an institution which had for its open and professed object the subversion of the law. It could not be expected that he should enter into a discussion of all the topics which the noble Lord had introduced, in his opinion, most unnecessarily into his speech, or at all to refer to the spirit and temper in which the noble Lord had alluded to the course pursued by a noble Friend of his (Lord John Russell), and the wise, statesmanlike, just, and successful manner in which he proposed the settlement of this important question. He was most unwilling to disturb the unanimity of feeling which followed his noble Friend's proposition, There was certainly no praise too great to bestow upon those who belonged to this society, and who constituted, he believed, a large proportion of its numbers, who acceded to the resolution for its suppression. He had ever been, since the first institution of this association, a determined opponent of it; but never at any time, or upon any occasion, had he ever disparaged the motives of the great proportion of the honourable and respectable persons who belonged to it. They had, in his opinion, been acting under very mistaken views, and under very strong and unfounded prejudices, but never had he attributed to the great majority of those who had entered into that association, any unworthy or dishonourable motives. He believed it was their conscientious opinion —a very mistaken opinion as he conceived —that they were supporting by their confederacy the Protestant interest. If he could not give the Orangemen the praise of wisdom and discretion in their proceedings, he most willingly and readily subscribed to their sense of propriety and honour. He could not believe that such men could for a moment entertain so wild and frantic a scheme as the disturbance of the succession; but absolving them altogether from such a suspicion, they could not be considered as relieved from the charge of allying themselves to an institution which was pernicious to the best interests of the country. It appeared to him most erroneous to suppose that the objection to this society rested merely on the fact of its using secret signs, and of its being capable of being converted to the purposes of outrage and disturbance. The objection to this association was, that it was an exclusively religious society, a society calculated to oppose interminably the Protestant interest in Ireland to the Roman Catholic interest, and to divide the people in that country into two hostile and unrelenting factions, instead of being united in one body. That was the true principle on which this society was put down. He hailed the resolutions which embodied that principle as affording at least the possible return of peace and tranquillity to Ireland; but if the principle of exclusion on the part of a proportion of the Protestants against the Roman Catholics were not abandoned, he frankly owned that little good would arise from the efforts which had already been made to put an end to such a system. The value—the whole value, in his eyes, of the dissolution of this society, was the prospect it afforded of restoring harmony to Ireland. He might, perhaps, be sanguine in his expectations—after the warmth of feeling exhibited by the noble Lords opposite, he was certainly not so sanguine as he had previously been: but he did still entertain a strong hope that the prospect of returning tranquillity and happiness to Ireland was at length opened to their view. The noble Earl, amongst those observations which might, perhaps, have been better omitted in his address, had assumed, that Protestantism in Ireland was commensurate with Orangeism. He begged their Lordships to look around them before they adopted such a conclusion, when, if they did so, they would see that there were Protestants, some of the most respectable persons in Ireland, men who stood the highest in rank amongst the inhabitants of the country, and the most established, in the opinion of Protestants, for their religious sincerity and zeal, who were decided enemies to these Orange associations.— Nothing, therefore, could be further from the fact, that the Roman Catholic party alone was arrayed in hostility to these proceedings. Now, as to the origin of this association: it took its rise in an opposition to the necessity which had become imperative, of governing Ireland, not for the purposes of upholding the ascendancy of any class, but for the good of the whole people. From the first moment of the agitation of the question, the body opposed itself to the measure of Catholic Emancipation. They might have been perfectly right. — [The Duke of *Cumberland*: *Hear! hear!*] — The illustrious Duke might be perfectly right in his opinion of the impolicy of that measure. He was happy to have the good fortune of entirely going along with the illustrious Duke in his statement of the view taken by the illustrious Duke of that question. So far from misrepresenting, he was glad to perceive that he had stated fairly, and, he hoped, respectfully—and certainly without meaning to disparage the illustrious Duke's motives, for he believed he was perfectly conscientious in the opinions which he entertained—the sentiments which the illustrious Duke felt and expressed on that measure. But the illustrious Duke could not deny that the origin of the society was, that Roman Catholics should not be admitted to equal rights with their Protestant fellow subjects. The association was formed on that principle—it had been continued on that principle; and at this moment (continued the noble and learned Lord), I am quite satisfied that if the assent of the illustrious Duke were the only thing necessary to bring about such a consummation—if such an event depended upon him, and could be effected by his wish, he could easily believe that he would most readily and cheerfully abolish all that has been attained, and overturn the whole fabric of which Catholic Emancipation formed the foundation. Now the illustrious Duke was, and is, entitled to hold his own opinions upon that subject; but the House of Lords, the House of Commons, and the King himself, did not happen to coincide with the illustrious Duke, but all were compelled to acknowledge that the time for assenting to the measure had arrived: there was a moral necessity growing out of the state of men's opinions to pass that measure, and any man must be insensible to what went on in the world, who still adhered to opinions opposed to that concession. I say, then, that this Orange Society was formed on a principle which the absolute necessity of the times compelled the popular mind to abandon. I am sorry that an illustrious Duke (the Duke of Wellington) is not present; for illustrious I may call him, with reference both to his exploits in the field and his rank in the country—for if he were here I should have his sanction of, and concurrence in, the declaration that the original principle on which this society was founded, cannot be sustained by any man who knows what is passing in the country, and reflects upon the consequences of blindly opposing the unconquerable determination of a people. The principle of this association is one for rendering ineffectual what the Legislature in its wisdom thought it necessary to adopt; for it amounts to this declaration—" The Roman Catholic, in the name and letter of the law, is admitted to a participation of civil rights and privileges; yet by our association, and by our physical strength and power in the country, we shall prevent the provisions of the law from being carried into operation." The noble and learned Lord then proceeded to say, that the value of the resolutions of the House of Commons, and of the declaration from the Throne, was, that the people of Ireland should be free, and that the whole people should have equal civil privileges, in fact as well as in law. It was certainly honourable to those noble and illustrious persons themselves, exercising the high authority which they did with their brethren, to recommend the dissolution of this association, in accordance with the wish of the Throne; but how short-sighted or inconsistent it was, in some at least of that body, to accede to its extinction, and yet recommend the continuance of the principle on which it was founded, and thereby perpetuate the mischiefs which they appeared desirous to abolish? " My Lord (continued the noble and learned Lord), what I mean to say is this—that if you hold out to the people of Ireland—Protestant and Catholic—that equal privileges are not honestly and perfectly to be communicated to both, you hold out a principle on which it is impossible the country can be governed. [The Duke of *Cumberland:* I don't deny that.] Oh, then, I see the illustrious Duke and I are, after all, about to arrive at the same conclusion. The illustrious Duke is about to give in his adhesion to the principle which I have laid down, and depart from the representation which I gave of his opinions (and which he so heartily cheered) on the question of Catholic Emancipation. Now, does the illustrious Duke admit, that the principle on which the Government of Ireland should be conducted, and the law applied, is the principle of equal right to the whole of the people? [The Duke of *Cumberland:* I agree to that. Let the Government do so.] Well, then, as we are now at length agreed as to what should be the object of the Government, we have next to consider by what means it is to be obtained. At all events, the illustrious Duke admits, and after his announcement of his concurrence in it, I am inclined to think that no one will now be found ready to dispute the guiding principle on which the Irish Government should be conducted, namely, that it should fairly carry the intentions of the Legislature into effect, and give, in fact, and truth, equal laws and rights to all the people of Ireland, without any religious distinction. That, my Lords, is a fair principle; I claim no more —I desire no more. I believe that no respectable portion of the Roman Catholics desire more. But the illustrious Duke says, " Let that be done." How? By the only means in which it can be effected —by the arm of the law and the authority of the Government of the country. And here I am brought back into what I think was very unnecessarily introduced into the present discussion, and what I can't but say appears to me to be the principal object of that discussion, particularly on the part of the noble Lord who spoke last, and who, not contenting himself either with the vindication of his own honour, for seeking an opportunity of making which he was entitled to every praise, or confining himself to the vindication of the honour of those who were originally engaged in this society, thought proper to take that occasion for bringing forward a series of vague, general, most unjust, and unfounded charges against the Government of Ireland. My Lords, this is not a fair way of dealing with the present question. Is it fair or reasonable to call on my noble Friend at the head of his Majesty's Government, or any person connected with the Government, to go, upon such a motion as the present, into a general vindication of the Government of Ireland, with respect to the administration of the laws and the disposition of its patronage? Nothing can be easier than to apply harsh epithets to a Government—to say that it is unjust and partial—that it has abandoned one interest, and that its favour runs exclusively in a particular channel; and when I had the honour of coming lately from Ireland to attend my duties here, I found a storm, upon this topic, rising in every direction: I heard of nothing but the gross abuses of the Irish Government—of the various acts which they had committed—the things which they had done, and which they should have left undone, and the things which they should have done, but which they had neglected to do. One more serious charge, however, against them was, that they had neglected the Protestant interest. But I have not heard any distinct act of omission or commission on the part of the Irish Government. And I now challenge any one to bring any distinct accusation against that Government; and if I am not grossly misinformed there can, and there shall be, given to it the most distinct, explicit, and satisfactory answer. My Lords, I will not condescend to enter into an inquiry into the conduct of particular individuals who are represented as the general masters of the Government of Ireland. The only question which can be raised with reference to the supposed subserviency of the Government, is not whether they have availed themselves of the services of those whose support they have the honour to receive, but whether they have in any instance sacrificed their own principles in order to procure that support. I boldly say—and I challenge investigation—that no proofs can be adduced of their having so yielded in any one instance. The ludicrous charges brought against the Government are really the greatest triumph which it can have over its opponents, for after all the anxiety to detect their errors, and to show that they have violated every principle of the constitution, the only specific charge alleged against it is Lord Mulgrave having invited Mr. O'Connell to dinner. It is really a thing to occupy a page in history, and after-ages are to read it with astonishment, "that on such a day in January, 1836, Lord Mulgrave sent to his aide-de-camp to wait on Mr. O'Connell to ask him to dinner in Dublin Castle." This charge was one too frivolous to notice, and from which the noble Marquis alluded to has already been exculpated, even in the opinion of the hon. and learned Gentleman, who had upon a former occasion brought the accusation against him. I again repel the charge made on the Irish Government. I give a direct and positive denial to all charges which are general and vague. Mr. O'Connell, Mr. O'Connell, Mr. O'Connell! No other name is mentioned at present by those opposed to the Government. Why, my Lords, Mr. O'Connell possesses more influence than he himself, as he has feelingly stated ought to possess, or than any man ought to enjoy. But how has he become possessed of it? Why, my Lords, every grievance that you leave unredressed—every unjust attack on the privileges of the people (no matter what may be their religious belief)—every declaration that you make, that the same laws shall not be administered in spirit and effect to all classes is but adding strength to the influence of that individual. I am not disposed to deny that the extent of influence is most condemnatory of the state of society in which it can be obtained; but, my Lords, Mr. O'Connell is rendering services to Ireland which are beyond all calculation. I have never known Ireland in such a state of tranquillity as at this moment. Would any Government, in their senses, reject the support of such an influential individual when he offers them his services? Have former Governments acted on the principle which is now so dogmatically laid down? Has the noble Duke, who was at one time at the head of the Government of this country, and who has since been the leader of the association—has he refused to take the assistance of individuals, unless they exactly coincided with him in political opinions? Why had he taken the assistance of the noble Marquis? Why had he taken the assistance of persons friendly to a system of reform, he himself being directly opposed to it? But it is said that Mr. O'Connell has not expressed proper opinions of your Lordships' House and of your Lordships as individuals. My Lords, is it the duty of the Government to keep a kind of register of the expressions of all public men, with a view of determining what exactly should be the temper displayed by each individual, and the language in which his thoughts should be clothed, so as to fix a standard according to which the support of a public man might be received? It was my fate to meet on many occasions at the tables of Lords-Lieutenant, Dr. Duigenan; and yet there was no language of vituperation and of abuse which he had not at one time or other lavished sometimes on the Government, and at other times on those opposed to it. I, however, never heard a formal charge brought against any Lord-Lieutenant for having asked that individual to dine. It is said that the Government have determined that all persons who belonged to Orange Lodges are to be deprived of all access to public offices of trust. No such principle was ever laid down by the Government. The principle which has been laid down is, that after a Committee of the House of Commons has made their report, and after it has been ascertained by that report what the nature of Orange Lodges is, that any person who made application to be appointed to any new office of Government or magistracy should not be admitted until he declared that he was no longer a member of an Orange Association. But, my Lords, I have myself, in several instances, acting with the concurrence of the Executive Government, declined appointing an individual, until I ascertained first, whether he was a member of an Orange Lodge, and next, whether he meant to continue to be so. But to say, that because men have been members of Orange Lodges that they are never afterwards to be admitted to offices of trust and magistracy is a principle which has never been acted on or supposed to be proper. Though I am sorry to introduce so invidious a topic, I am obliged to observe that the appointments of Protestants made by the Irish Government, bear a fair proportion to those of Roman Catholics. One judge has been appointed, and he is a Protestant. I observe a number of assistant barristers have also been appointed. I can repeat the names of three or four who are Protestants. There are, perhaps, an equal number of Roman Catholics. But I do not believe that any inquiry was ever made, or question asked, as to whether these individuals were Protestants or Roman Catholics. But the noble Lords opposite say, "'Tis true these individuals are not Papists, but they are political Papists, because they are friendly to the claims of the Catholics." So that here is a Government founded on liberal principles, which, unless it appoints persons of opposite opinions to their own, is charged with conferring its patronage on religious or political Papists. I conclude by reiterating the challenge which I have before given, that if any specific charge of misconduct can be brought forward, either in refusing assistance to any clergyman in the prosecution of his just right, or withholding the requisite protection of Protestant property, let it be made, and I take upon myself to say, it shall be satisfactorily answered. With respect to the particular instance to which the noble Lord alluded, that has been already sufficiently explained. The present Irish Government refused to give effect to a commission of rebellion in accordance with the practice of every Government since the year 1822, and amongst them of that of Lord Haddington. The noble and learned Lord concluded by expressing a hope that when the noble Lord had time to reflect, between the present time and the meeting of the association on the 11th April, his speech would be more calculated to produce the effect which he seemed desirous to attain, than the greater portion of his address on the present occasion.

The Earl of *Winchilsea* said, that as the noble Lord had referred to Catholic Emancipation, and the necessity of conciliating the Catholics, he (the Earl of Winchilsea) would beg leave to tell him that Emancipation had failed to produce the good expected from it, and now announced to have flowed from it. So far from Emancipation having diminished crime,

crime had increased since the passing of that measure. He could prove the fact from documents. His object however in rising was to express his entire disapprobation at the suppression of the Orange society. He would allow that the friends of the institution in the other House acted wisely in not opposing the resolution which was directed against the society. It was true they made great sacrifices, but they were in a difficult position, and they proved their loyalty by coming to that decision. There were five or six other societies bound by illegal oaths. Why were not these included in a resolution? If the Orange societies were illegal, why did not the noble Viscount enforce the law against them? and, if they were legal, why restrict the liberty of the subject by their wanton suppression? The exercise of the power of the Crown, as advised by Ministers, was a Bill of pains, though not of penalties. The noble Viscount should, if he wished to do an act of impartial justice, at once bring in a Bill declaring all secret societies illegal. He hoped the society would follow the advice of its leaders, and disperse; but, at the same time, he hoped they would never forget what was due to the maintenance of the Protestant institutions of the empire, or desert their principles.

Lord *Hatherton* maintained that the address to the Crown from the House of Commons on the subject of Orange societies, in consequence of which they had been abolished, was not unconstitutional, being justified by precedent. He referred to the proceedings in the year 1807 upon the Reversion Bill, which had been sent up to the House of Lords by the Commons, but which the Lords refused to pass. The consequence was, that the House of Commons immediately voted an address to the Crown, praying that it would not give any places in reversion for six weeks after the next meeting of Parliament. Now this was a much stronger step than that taken on the present occasion, being the usurpation of a sort of temporary legislation which, perhaps, might fairly be conceived contrary to the spirit of our Constitution. He was rejoiced to find that the opinion of the House of Commons had been acted upon on the present occasion. He much preferred to see these institutions put an end to by the moral influence of society than by compulsory means. The evil was not confined to themselves; the existence of one class of political societies called up others of a different complexion, and the consequence was that law was trampled under foot, and property destroyed, or rendered precarious and valueless. In order to show to what an extent the spirit of party had prevailed hitherto in the disposition of Government patronage in Ireland, he would merely trouble the House with a brief statement of a few of the appointments as he found them distributed on going over to Ireland in the year 1833. On the ordinary commission of the peace there were 2,668 persons of whom only 292 were Roman Catholics; police magistrates twenty-five, of whom two were Roman Catholics; sub-inspectors of police 216, of which twenty-two were Roman Catholics; town councillors thirty-four, of which two were Roman Catholics; lieutenants of counties thirty-two, of which two were Roman Catholics; assistant barristers thirty-two, of which there were three Roman Catholics. Such was the state of the case in 1833, when he went over to Ireland. If the noble Lord now the representative of his Majesty in that country came into office, finding a slight reduction of this glaring inequality and favouritism, which he believed might have been the case, he trusted that the noble Lord would be stimulated by that circumstance to reduce still further all causes of complaint of that kind.

The Marquess of *Londonderry* briefly replied. He could not see that the statements just made by the noble Lord opposite, in reference to the appointments of the two late Lord Lieutenants, had anything to do with those of the present Lord Lieutenant; and therefore was no answer to his (Lord Londonderry's) charge and complaint, namely, that in the present disposition of the patronage of the Irish Government, the fact of being a staunch Protestant was held a sufficient disqualification against any one, be he who he might. If the noble Lord opposite would consent to giving him a return of the number of appointments made by the present Irish Government, stating by whom recommended, and also, as far as possible, whether the parties were Catholics or Protestants, he believed he should be able to bear out to the fullest extent the statements which he had made to the House upon this subject.

Motion agreed to.

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HOUSE OF COMMONS,

Monday, March 7, 1836.

MINUTES.] Bill. Read a second time:—Letter Stealing (Scotland).

Petitions presented. By Mr. JAMES OSWALD, from Glasgow, for the Repeal of the Duty on Soap.—By Lord CASTLEREAGH, from Newry, against; and by Lord ACHESON, Mr. S. R. LUSHINGTON, and the CHANCELLOR OF THE EXCHEQUER, from several Places, in favour of the Municipal Corporations' (Ireland) Bill.—By Lord EBRINGTON, from Kingsbridge, in favour of Mr. BUCKINGHAM'S Claims.—By the Marquess of CHANDOS, from the Winslow Union (Bucks), against the Low Rate of Wages for Labour.—By Mr. WILKS, from Southampton, for Relief to the Dissenters.—By Mr. H. GRATTAN, from the Roman Catholics of Navan, for Exempting from Duty Materials for Building Churches; from Meath, against Tithes.—By Mr. R. WALLACE, from Bedford, for Corporation Reform; also against the Stamp Duty on Newspapers; from Greenock, to the same effect.—By Mr. EWART, from Liverpool; and by Mr. SCHOLEFIELD, from Birmingham, against the Excise Restrictions on the Manufacture of Tobacco.—By Sir G. STRICKLAND, from Doncaster, against the Assessed Taxes; from Sheffield, for Relieving Licensed Victuallers of the Additional Duty on Spirit Licenses.—By Mr. GILLON, from Lanark, for Abolishing the Statute Labour (Scotland) Acts.—By the same, Mr. TYNTE, and Mr. WILLIAMS, from three Places, against the Stamp Duty on Newspapers.

MUNICIPAL REFORM (IRELAND.)—PETITIONS.] Mr. *Sharman Crawford* presented a Petition from Belfast, in favour of the Municipal Reform Bill, and praying that a measure of Reform should be extended to Ireland on the same principles as those which have already passed for England and Scotland. The petitioners stated that they wished to have the town of Belfast included in the provisions of any Bill of that nature which might pass the House, as its corporation had been for a considerable period inoperative for any useful purpose, or for its good local government. He respectfully requested the attention of the House to the prayer of the petition. It would be in the recollection of hon. Members, that a petition had been presented a few nights ago by one of the Members for Belfast with a directly opposite prayer. The petitioners, whose wishes he now brought forward, had at first felt it unnecessary to trouble the House on the subject, confiding in the wisdom and justice of the legislature in extending to them a measure based on the principles of the Acts for England and Scotland. They did not intend to forward any petition until they had heard of that which was presented by the hon. Member opposite, and which he (Mr. Crawford) must say was smuggled through Belfast. That petition, doubtless, never saw the light of day until it was presented in that House. No notice of the intention to get it up was given, and the inhabitants of Belfast first heard of it from the notice given by the hon. Gentleman opposite of his intention to present it. The petition which he held in his hand reached him on Tuesday last, but too late to present it with that intrusted to the hon. Member for Belfast. That hon. Gentleman, when he presented his petition, stated that it was signed by 8,000 individuals. In this he thought there was a slight mistake, for, on inquiry at the Report Office, he found there were attached to it only 4,364 signatures. He was sure the hon. Member did not wish to deceive the House, but some person had deceived him on the subject. He would not compete with the hon. Member in the number of signatures to the respective petitions, but he would defy him to impeach the respectability of those who signed that which he was about to present. They were men of interest and weight in Belfast, and the hon. Member would see among the signatures the names of those with whom he had formerly associated in standing forward to assert the rights and liberties of the people. He would see the names of men who were his associates when he eloquently and determinately advocated popular rights. The hon. Gentleman had cast off the principles which he maintained in his juvenile days; he had cast off the friends with whom he associated in other times; and had discarded the principles of which he was once the assertor. He was not surprised at the manner in which the petition had been kept in concealment while it was within the limits of Belfast; he was not at all surprised that when the petition came to this country it should be the object of the hon. Member to increase its importance; but, notwithstanding all that had been done to hide it at home and magnify it abroad, he would fearlessly place the counter-petition, which he had now the honour to present on the table of the House, challenging any hon. Member to deny its respectability.

Mr. *Dunbar* said, it was not his intention, being a very young Member of the House, to trespass long on its indulgence; but he felt that he should not be discharging his duty to his constituents nor to the inhabitants of the borough of which he had the honour to be one of the representatives, were he to be silent on an occasion when their interests were so deeply involved. It would be in the recollection of the House that his hon. Friend and colleague had presented a petition a few evenings since in support of the present system in the borough of Belfast, bearing, as had just been stated by the hon. Member opposite, upwards of 4,000 signatures, and comprising those of persons of the highest respectability and of different political parties. In the sentiments contained in that petition he fully concurred. The municipal affairs of the borough of Belfast had for some years past been managed by two Boards appointed under a local Act. These Boards were called "The Board of Commissioners," and "The Police Committee." Having been a member of the latter for the last two years, he was better enabled to bear testimony to the efficiency of the present system, and, perhaps, the best proof of its working well was the fact that there had never been one word of complaint against it by any party whatever until the petition now presented by the hon. Member for Dundalk. If he might be allowed to state one fact, which appeared to him calculated to show the purity of the motives and the anxious desire of the committee to give general satisfaction, he would beg leave to state that the town of Belfast was divided into seven districts; to each of these three members of the committee were appointed, for the purpose of superintending the several duties connected with their office, such as lighting, paving, and local improvements, and to inquire into the merits of any petitions or complaints that the inhabitants in their respective districts might make on those and other subjects. Now, so anxious were the committee to provide for the strict and impartial discharge of their duties, that they passed a resolution that no member of the committee should be appointed to a district in which he possessed any property, lest he should be biassed in his decisions. The committee, he could assure the House, was composed of individuals of different political sentiments, and yet he had never known the progress of the public business impeded on that account. The House would observe that his remarks had been solely confined to the police committee, on whom the principal part of the business devolved. As to the Commissioners, he had every reason to suppose that their conduct had been generally satisfactory; and whatever differences might have occasionally arisen between the two Boards (and he believed that was all that was alleged against the present system by the petitioners) he did believe that the interest of the public had never suffered from them. This body, the commissioners, was also composed of persons of different political opinions; and he believed he was correct in stating that at present the majority of them were Liberals, and some of them very decided, as his hon. Friend and colleague could testify. The members of this Board were elected for life; whereas the members of the committee were elected annually. He could assure the House that in thus advocating the present system he had no self-interest to gratify, for he did believe that the proposed change would make no alteration in the political interest in the borough; but he was confident that the constant recurrence of elections would be a serious injury to the peace and prosperity of that rising town. As to the Corporation it was virtually defunct; but at all events he had no intention to say one word in support of it. He that morning, had received a letter from a noble Lord, who, from the situation of his property, might be supposed to have considerable interest in the borough, in which he stated, that he fully coincided in the view taken by the right, hon. Baronet, the Member for Tamworth, of Irish Municipal Reform, and would be happy to support him. He (Mr. Dunbar) felt it to be his duty to the hon. Member for Dundalk to call his attention to another petition which he lately presented on the same subject, as it appeared to him to contain a gross and wilful misrepresentation, and to reflect upon the character of a noble family, whose high and unimpeachable integrity required no eulogium from him. He alluded to the petition from Bangor in favour of Municipal Reform. The petitioners stated that the corporate bodies in Ireland had, in many instances, scandalously misappropriated the funds with which they had been intrusted for the public advantage, and had pursued for many years a system of wasteful expenditure and gross malversation, and it proceeded thus:—"That the Report of his Majesty's Commissioners will show that your petitioners have suffered grievously from those corporate abuses which have grown into rank luxuriance in the borough that they inhabit." He would now refer to the Report of his Majesty's Commissioners where he found the following:—"This Corporation presents a rare instance of a property preserved with care, and an income, generally speaking usefully expended, and satisfactorily accounted for." He (Mr. Dunbar) hoped the hon. Member would not suppose that he intended to reflect upon him, as he was sure, had the hon. Member read the petition, he would not have presented it. He would make no further remark, but leave it to the hon. Member to say which this House was to believe — the allegations contained in the petition, or the Report of his Majesty's Commissioners?

Mr. *Emerson Tennant* would not waste the time of the House by replying to the very unhandsome personal attack with which the hon. Member for Dundalk had seen fit to favour them in his eloquent address—but with regard to the statement he had made of an error in the number of the signatures in the petition which he (Mr. Tennant) had presented on a previous occasion, he could only say, that if such an error existed, it originated with his constituents and not with himself. One would naturally suppose that the number of signatures attached to such declarations of opinion would be the most obvious test as to whether the contents were in accordance with the feelings of the community whence they emanated; and if the hon. Member for Dundalk conceived, on Monday last, that a petition with between 4,000 and 5,000 names attached to it was an evidence so contemptible and fallacious as not even to deserve to be laid on the table of the House, the hon. Member did not surely come down to-day in order to ask them to attach greater consequence to the document which he presented, and which scarcely contained one fifth that number. The circumstance of the getting up of this petition was, in his opinion, a prospective illustration of what might be anticipated from the workings of that party spirit which existed, not only in Belfast, but in every town in Ireland, and which would be called into vigorous and permanent action should the present Bill pass into a law—a party who were already prepared to make factious contest about every question, however beneficial or harmless, so soon as the setting up of Municipal Corporations should have established annual struggles for religious and political ascendency throughout every at present peaceful community in Ireland. If there ever was a petition emanating from a commercial body which, more than another, might have been thought likely to be unanimously adopted, inasmuch as it excluded all topics of political discussion, it was the petition which he had presented on Monday last, and when he had presented that petition on a former day the hon. Member for Dundalk had risen, and, in language more forcible than courteous, called upon the House not to receive it, as it did not fairly express the real feelings of the people of Belfast, on this question. The hon. Member also said, that he was instructed to state, that in the course of a few days a petition was to be forwarded to him for presentation, which would really embody the genuine sentiments of the people of Belfast relative to the Reform of their Corporations. The petition which the hon. Member had just presented he (Mr. Tennant) presumed to be the one he had then announced. He would almost venture to say, that from the sentiments of that petition, notwithstanding the presentation of the present one, even the hon. Member himself (Mr. S. Crawford) would hardly dissent. In that petition the bankers, shipowners, merchants, and shopkeepers—all those who had the most direct interest in the prosperity and peace of the town besought the House to secure to them but two objects — first, a well-regulated, efficient, and economical system of municipal government; and, secondly, an assurance of quietness and repose in its enjoyment and administration. The first of these they stated that they already enjoyed under the operation of their present Local Acts, by the provisions of which every municipal function was satisfactorily discharged, without encountering the slightest opposition or deriving the slightest benefit from their existing Corporation. The petition just presented by the hon. Member for Dundalk stated that the machinery of these Acts was insufficient, complicated, and embarrassing. These, he confessed, were complaints which he, as the Representative for Belfast, had never heard of till that evening, although they might have reached the ears of the Representative of Dundalk; and, even supposing such defects to exist, it was surely a more simple course for that House to simplify their intricacy, and to extend them when insufficient, than to abolish the system altogether, as the present Bill proposed, instead of amending some of its details. And as to the second object of the petitions—peace, unanimity, and good order in their town—to these they were prepared to bid an eternal farewell, as soon as a Municipal Corporation, with all its noisy machinery of canvassing and contests, councils, and committees, was set into full play in the midst of them. And yet what was the conduct of the so-called liberal party on this occasion, as stated by the hon. Member? No sooner had the inhabitants generally expressed a wish that their present Corporation should be abolished, and that they should be left to regulate their own affairs by Local Boards, popularly elected, as at present, than this liberal party, they who have been always the loudest to denounce the existence, suddenly muster their forces, and forward this petition to the hon. Member, to perpetuate and continue it. He did not object to the petition presented by the hon. Member for Dundalk, so far as it went to the abolition of the abuses at present existing in the Irish Corporations. On the contrary, so thoroughly convinced was he of the total inapplicability of the corporate system, in the present state of society in Ireland, to answer any purpose of useful and impartial government, that he should be delighted to see them annihilated altogether. His hon. Colleague (Mr. Dunbar) had alluded to the petition which the hon. Member for Dundalk had presented on a previous night, from the village of Bangor, in the county of Down, praying for a reform in its corporate affairs. It was certainly an unfortunate coincidence for the credit of other petitions in favour of this Bill that the first, or among the very first, presented in its favour, was that petition from Bangor, the only Corporation in Ireland of which the Commissioners have spoken with unqualified praise, as answering every end of good government, and exhibiting in action at the present moment all that this Bill proposes, namely, judicious management, equitable expenditure, financial publicity, a corporation in which the funds are "carefully preserved, usefully expended, and satisfactorily accounted for." Now, with regard to the village of Bangor, he (Mr. E. Tennant) must say, that if there was one incident in the Bill more preposterous than another, it was the idea of erecting such a hamlet into an actual Municipal Corporation. The right hon. Gentleman, the Attorney-General for Ireland, could not surely have known the actual insignificance of this place, when he included it in a Bill like the present. The House must know that there were two little bathing villages on the shore of the Bay of Belfast, which were the summer resort of the inhabitants, one at the distance of four miles from the town, called Holywood, the other, this Bangor, about six miles farther. Of these, from its vicinity and thriving condition, the most important by far was Holywood—the former had not above 2,500 resident inhabitants, if so many; and yet this pleasant little village was forthwith to have its Corporation reanimated, and all society enlivened under the auspices of a mayor, four aldermen, and twelve common councillors. He would really appeal to the hon. Member for Dundalk himself, who knows the village well, whether it would not be actually a standing jest in the north of Ireland, to speak of the mayor and aldermen of Bangor. He had no objection to the prayer of the petition presented from Belfast by the hon. Member for Dundalk, further than he had stated. He objected to its being considered as representing the feelings of the town, and not merely of the few individuals whose names it bore.

Petition laid on the Table.

MUNICIPAL REFORM (IRELAND)—COMMITTEE.] Lord *John Russell* moved the Order of the Day for the House to resolve itself into a Committee on this Bill.

Lord *Francis Egerton:* in proceeding to discharge the duty imposed upon me by the notice I have given, I feel more sensibly than usual the anxiety of a position, in which without anxiety I never find myself. If there be any thing calculated to revive that feeling, it is to be found by me in the circumstance that I rise to revive, I might also say to continue, a discussion, which to my humble judgment, and with reference to all sides of the House, has hitherto displayed more of argument and less of acrimony than is usual on questions in which conflicting parties put forth their strength, and more especially when the battle ground is that great field, Ireland, so often the theatre of Parliamentary conflict—would that it were confined to Parliamentary conflict alone. Little as I may be able to contribute any addition to the argument, I do trust I may be able to succeed in avoiding to originate any infusion of that second ingredient I have named, which by its absence has distinguished the debate which the first adorned. There was no speech delivered on that occasion more stamped with that character which I have ventured to attribute to the debate than that which I heard delivered, at least the principal part, by the Attorney-General for Ireland. I was indeed too late for its commencement. I regret my loss the less, because the early portion of the right hon. Gentleman's observations were directed to a portion of the subject on which I am unable to dispute his facts, stated as these facts were, with no more of asperity than the duty he had undertaken of devising their remedy demanded, and because, moreover, with regard to the present necessity of that remedy, I no less agree. I agree to ratify with my vote, the sentence he has passed upon institutions which cannot, in my judgment, longer withstand the evidence of their failure for any good social purpose, whether of original intention or casual adoption; and whatever may be my abstract reverence for prescription or antiquity, I am prepared to relieve them from the burthen of a weak and painful existence, without reference to the particular quarter from which their fall may be cheered, or to what parties, on the other hand, may follow them with lamentation to the grave. As far, therefore, as the fact of the right hon. Gentleman's argument extended, I find myself in that state of concurrence which I wish I could always find myself in with that Gentleman. Here, however, as the motion I have submitted to the House indicates—here I am afraid we diverge. I join the right hon. Gentleman in removing these abuses of alleged exclusion or abuse, and it is only when he sits down to build among the ruins that I pause to question the necessity, or to examine the probable results, of the reconstructing provisions of his Bill, by which he proposes to repair the ravages of his preamble, and first clause. The right hon. Gentleman has asked, will the House, having passed a measure of municipal Reform for Scotland and England, will it refuse one to Ireland on similar principles? My answer, if I could answer for the House, would be governed by a definition of the expression of similar principles. If you mean the taking every human security for the application of equal justice to all classes and all persuasions in the administration of the law—if you mean by it, the placing of local expenditure for municipal purposes under vigilant popular control—I answer, "Yes." If you mean an elective administration of the functions of justice, and the powers of the armed police, I answer that I look to the end and not the means; and when you have shown me that those ends are to be attained by that popular election in Ireland as well as England, I will answer "Yes," also, to that proposition. Bearing this observation as to the definition of similar principles in view, I deny, that in substituting abolition for the restoration of the right hon. Gentleman, I do withhold from Ireland the benefits which, to use the words of the hon. Gentleman, Parliament has not hesitated to extend to the other parts of the empire. This, Sir, is the cause and substance of an argument well calculated to dazzle by its specious lustre, to attract one's attention by it's seductive generality, and to blind us to those consequences which, however matters of detail, hon. Gentlemen will pardon me for saying require, as I think, no microscope to detect. He, or any other Gentleman, who boasts an equal pride in his country, or equal love for the land which reared him, may listen with impatience to anything I have to say on the subject of its affairs; but I am indeed unfortunate in the choice of my expressions and observations, if even they should discern in them any disposition to indulge, either as an Englishman or a Protestant, in any offensive assumption of superiority; but I should wander into another extreme of base, and servile, and insincere flattery, if I told them that there was nothing in the situation of that country, in the state of its society, which distinguished it from England and other nations, and which may in special cases make it an unfit recipient for institutions which are not in themselves essential to good government, and which are only valuable as the machinery for that purpose. If this be insult to Ireland, I can only say, believing it to be the truth, that I should conceive I was insulting the good sense of Irishmen if I suppressed my conviction. When I find numbers arrayed against property, a minority powerful in wealth and intelligence, opposed to a majority destitute of these materials—when I see the national guardians of the temporal and spiritual interest of its lower orders in conflict—I do say, that there is a sad distinction between England and Ireland, which bears directly on the question now at issue; the mode by which we shall regulate the administration of the law, and the protection of the property and peace of those who are to live under it in the case, not indeed of society at large, but of certain most important aggregations of individuals—I say that into that country it is not desirable to introduce a system by which he who has to administer the law to all may be indebted for his tenure of that high function to a few. I say that if, unfortunately, the state of feeling be such that that party must be represented by him who makes the law—that if it be such that mere profession of opinion, apart from the proof of any one qualification upon earth be a passport to Parliamentary representation—I say that which is always desirable becomes doubly necessary—that he who administers it should feel no obligation for his appointment—that his installation should not become an election chairing—that he should not be borne into the hall where municipal justice holds her seat on the shoulders of a mob, any more than he should sneak into it through the private avenue of a faction. My right hon. Friend (Sir Robert Peel) spoke of the appointment of Sheriffs, and he asked a question which has not been answered yet—what security the popular appointments of those officers afforded for the purity of Juries, and the impartial execution of that most important function? The Chancellor of the Exchequer wisely forbore to reply, and confined the force of his answer to the circumstance of there being but eight cities which, under the Bill, are to be favoured with an elective officer of that denomination—only eight cities, Cork, Dublin, Kilkenny, Limerick, and Waterford, and three others. What would Louis Philippe say to his new ministers if they told him, " We have an institution to which we all have objection, but really the application is so partial that we are convinced his Majesty will not object. We propose to apply it to Paris, Lyons, Marseilles, Bourdeaux, Nantes, and two or three other towns?" Is Ireland the country I have described, or is it not? It is idle to be delicate—ceremony is misplaced in dealing with such a subject; and if I am called upon to demonstrate my own theory, I find the difficulty which greater reasoners than myself have found in proving an axiom, or in confuting that sceptical system which denies the testimony of our senses and the evidence of habitual perceptions. If Ireland be not that country—if I, as an Englishman, misconceive its situation, or speak of evils which do not there exist—then I say to the gentlemen of that island, who hear me, your countrymen misrepresent you; tribunals and professional opinions are unfaithful guides; your own daily press is not the mirror of things that are; the mass of evidence before Irish, or Orange, or Intimidation Committees is a tissue of mere delusion; those who gave it were falsifiers, and those who listened to it were dupes. If Ireland be not that country, the speeches which we heard the other night, when this House rung with applause of the sentiments and language of the noble Lord, was thrown away; the oil of conciliation he then poured out was wasted on a waveless surface. What was it which wrung from all parties in the House that applause from those who seldom unite to praise or to condemn? We all felt that there were passions to appease, parties to reconcile, and strife to terminate; and it was for this we gave the noble Lord the honours of a victory, claimed without the insolence of triumph. I am told however that these are arguments which would have applied to the Reform Bill. I do not think so. In the case of the Reform Bill some may have thought that there were reasons which forbad its extension to Ireland; but none could have failed to perceive that to deny that extension must there have been felt—even if necessary, as an insult and an injury, and hardly any reason could have been alleged against it which would not have gone all the lengths of despotism—you had no choice in that case between the perpetuation of all the abuses so called which you had agreed to sweep into schedule A in England, and a similar measure of reconstruction; for you could not have proposed to leave Ireland without a representation? Does that necessity exist here? Is separate jurisdiction any part of the essence of our constitution? Does our elective Magistracy rank with trial by Jury, or the free and fair representation of the people in Parliament? If it be essential in theory or in practice, how has Manchester, how has Birmingham, pursued, with their crowded populations, the arts of industry? How has Belfast flourished under the shadow of a Corporation, and why do 9,000 of her inhabitants petition against its substance? Why should election be confined to those communities where it more immediately rouses the elements of local strife, and is adverse to the social charities? Why is it not extended to the rural districts? These considerations bring me to the subject of the Irish Constabulary Bill. What are the provisions of that Bill, and their object? They deal with one of the most important objects connected with the peace of Ireland—the appointment as well as the regulation of an armed police of nearly 5,000 men. That appointment now resides with the gentlemen of the country, the body of Magistracy—a body whose interest in the peace of that society is great, and who are, undoubtedly, appointed by the King's commission, controlled by the Chancellor. Do the ministers leave this power of appointing the police in the hands of that body? or do they remove it to a magistracy elected on any popular principle, however restricted? No; they transfer that power to the Lord-Lieutenant. In my opinion they do wisely, and that opinion with me is not new. I thought so in 1830, and I think so still. In 1830, I thought that it would be advisable to transfer to the responsible representative of the King in Ireland, as placed above the atmosphere of local partialities and influences, these appointments. It is not for me to show that circumstances have arisen since that period, not to justify my views, but to convert their opponents; but in the case of those who then opposed my views and those of my right hon. Friend, I am bound to presume that such circumstances have arisen, for I do not attribute to my right hon. Friends opposite any low or paltry or mere party motives in this matter. I do not believe that they consider that the Duke of Northumberland was an improper depository of the trust they are ready to give to Lord Mulgrave, and if I look on the opposite benches, and to the Chancellor of the Exchequer in particular, for the then champions of the Magistracy, or if I turn to the Debates of 1830, it is not for the purpose of a momentary cheer, or to throw any difficulties in his present course. I give full credit to my right hon. Friend for something more statesmanlike than any such paltry, party reference to the individuals in power and out of it; but I have to infer from his change of opinion that he does not conceive that the situation of Ireland yet has undergone a change for the better since the period when I was officially connected with its affairs, or that its condition has been assimilated to that of England in those better features of order and tranquillity; and when my right hon. Friend joins the generalizing cry for identity of institutions in all particulars I might have a right to ask, are you prepared, while you receive, what you establish or enjoy here, to part on your side with institutions which, in themselves, and by the mode you amend and modify them, prove and illustrate the strong practical distinction which exists between the two countries? The Constabulary Bill of my noble Friend, supported by my right hon. Friend, is, I say, an answer to that question, which prevents me from giving him the trouble of any other reply. I say the Constabulary Bill of this year is in itself an answer to the clamour which is raised for identity of institutions. I ask again, will you join that cry—come forward to assimilate the institutions? I don't ask, will you bear the same burthens—will you, on the part of Ireland, make the same contributions to the Exchequer—but I ask, will you abandon the Assistant Barristers' jurisdiction? Is there anything like the summary jurisdiction of the Assistant Barristers in England? Is there a dissentient voice as to its value and its merit in Ireland? That Court is one of those instances which prove each by itself the impossibility of applying identical institutions to the two countries. The law of England it administers, but there is nothing in practice more differing in the cases of England and Scotland than there is in this between England and Ireland, and what are you about with the law? Are you moulding it to the practice of England? Are you gradually confining its operation? Are you compelling the Assistant Barrister to empanel a Jury where you now only give him a power to do it which he rarely if ever exercises? If you are so employed I believe you will create great dissatisfaction in Ireland. I believe you will have an insurrection of suitors, who prefer for the settlement of their civil causes the fiat of a lawyer appointed by the Crown to the verdict of their neighbours. But I am happy to think you are not. At this very moment the hon. and learned Member is reviving a Bill of last session to extend the operations of the system, to make the administration of civil justice in Ireland less like England; and with this Bill or that for the Irish constituency staring me in the face, you tell me that the two countries must have not only equal justice but the same institutions. The right hon. Gentleman tells us of Commissioners under the 5th Geo. 4th, and Protestant Members of Parliament. I derive the greatest satisfaction I have felt since I was returned to Parliament from the information the right hon. Gentleman has given me; but will the right hon. Gentleman seriously say, that he anticipates from this, that purity will govern the elections of the Magistrates and councillors, which will come under the operation of a Bill which is ushered in like the present by all the acclamation of party, and announced with so much of the pomp and dignity of reform. And I must say again, I shall rejoice if politics have absented themselves from these elections of Commissioners; more particularly as my proposition to-night embraces the very extensive application of the provisions of that very Act; but, if they did not, it goes for nothing in telling me that there were Protestant as well as Catholic Commissioners, for my objection is to partizans, not to Catholics. As to Protestant Members of Parliament, if these Members inculcate opinions which I think dangerous, it is no satisfaction to me, quite the contrary, that any one should be able to say I am as good a Protestant as yourself. Does the right hon. Gentleman mean to tell me that these Protestant Members were returned to Parliament by Catholic constituencies on the mere ground of their character—for their honour, their wisdom, and their judgment, all of which qualities I dare say the majority of them possessed—without any distinct and uncompromising profession of political faith. I have now, Sir, stated, perhaps at more than sufficient length, the reasons which have induced me not only to concur in the views of my right hon. Friend, but to undertake the task of submitting to the House a proposition which embodies the views of himself and those with whom he acts. Those Gentlemen who are opposed to these views can have no reason to complain of that which their opponents may regret,—that the task of mooting the question was not placed in other hands. It now only remains for me briefly to touch upon that branch of the subject into the details of which this, perhaps, is not the time to enter; but when I lay before the House a proposition which, if it succeed, would render nugatory the propositions of the Government, it would hardly be respectful to them or to the House to omit all statement of the mode in which those with whom I act would be disposed to supply the deficiencies we should then create. I confess I see none of the difficulties connected with this branch of the subject which so frequently attend legislative changes of extensive application. The classification of the various objects which have either been sought or attained by the institution of corporate government, is a simple and obvious one. I exclude on this occasion the consideration of the political and party purposes contemplated by those who gave the Corporations their powers, or to which they have been since diverted. The conflicting theories on these subjects I do not propose to alter; it is sufficient for me, without either proving the existence of those purposes, or entering into their justification or condemnation, to feel that those purposes are no longer to be attained in favour of one party, and ought not to be sought in favour of another. The real and natural objects of corporate government appear to me to be these:—the administration of justice; the control and direction of that police force, whatever it may be, to which the protection of the person and the property is confided; the administration of corporate property, and the regulation of those other not unimportant matters which concern the health, the comfort, and the convenience of the community—the lighting, the paving, the draining, &c.—for the due regulation of these it appears to me that the extinction of corporate authority will not create the smallest difficulty. To the attainment of some of them in Ireland that extinction will afford a favourable opportunity and direct assistance. I propose, too, that those towns and cities now town counties should remain counties of towns and cities; that they should, as now, have their Sheriff, but that that Sheriff should be appointed by the Crown, as the County Sheriff is at present. By that officer, so deriving his functions, the Grand and Petit Juries will continue to be summoned. The other cities and towns will be subject to the jurisdiction of Magistrates appointed by the Crown, and will be under the county Sheriff and the ordinary parochial authorities. As to corporate property, it appears to my right hon. Friend and myself that for the present it would be expedient to vest it in a Commission to be appointed by the Crown, to be considered as a temporary arrangement, and with a view of appropriating, under the sanction of Parliament, the corporate funds of each town possessing corporate property to its municipal purposes. The mention of this branch of the subject brings under consideration one item of that property which, I think, well deserves a separate consideration and special provisions. I allude to corporate tolls. I am not aware that the attention of the Reformed Parliament has been specifically called to that great subject, the features of which it is unnecessary for the information of Irish Members to particularize; but I would implore those gentlemen from England who have no experience of that system to give their attention to the Report of a Committee of Inquiry which did not, I believe, take evidence, and to the evidence which was taken by another, and I think they will agree with me, that no greater substantial benefit could be conferred on any community in Ireland than the destruction of this exaction from its industry, than the stifling of this perennial source of personal violence, perjury, and violation of the law. In proportion as that protects the person, it secures the right of property. I believe that this wretched mode of exaction, which if conducted with decency must be inconvenient in application, and opposed to the facile interchange of the articles of daily subsistence, has proved the principal source of the revenue which does accrue to corporate towns, and of which I am not aware it is proposed to deprive them under the present Bill. I believe that resistance to these corporate tolls in every possible shape of violence and evasion has become habitual, and that party spirit has, as usual in Ireland, lent its adventitious aid in their case to the natural impatience of a confined, anomalous, and I may say, impracticable system of pecuniary imposition. I have not looked upon this subject as some for whom I have much respect have frequently looked upon it, in that separate point of view which confines itself to considerations of religious difference. That danger to Protestant institutions should be anticipated from any measure which opens new fields to political agitation I for one cannot anticipate or apprehend, but I know that religious zeal may be prone to aggravate those dangers. It is not essential to the castigation of every evil which I dread as contingent upon this measure that party difference should either universally or generally take a sectarian turn. It is sufficient for my argument, if the inquisition into political, and not into religious creeds, should invariably attend the candidate for municipal office, and Protestant tests on the other. I have said nothing to arouse the excited fears, or exaggerate the apprehensions of Irish Protestants; but if these fears are excited, and if they can be soothed without a sacrifice, I am satisfied that his Majesty's Government will not, at least, think that a reason for persevering in the measure which excites, or against adopting a course which may remove them. There may be those, not in these walls, I trust, who would see these fears with satisfaction, who would chafe on being checked in their progress to what they conceive a triumph. Such I would implore to call up more generous feelings to their aid, to consider the condition of their country, to reach beyond the gratification of the moment, to reject the barren laurels of petty election triumphs, and seek for the better reward which attends the sacrifice of long-cherished feelings of hatred and displeasure. To you who legislate, I would say, secure the peace of your country, the stability of your empire; beware how you unnecessarily irritate the Protestant mind of Ireland. You have interspersed the resolutions of your Parliament with the paternal advice of your sovereign to exhort—to caution—to restrain. That call has been answered as it deserved, and you had a right to expect; beware how you do that which may mar the best results of your efforts—beware, lest indirectly by your present measures, by substituting a new exclusion for that you destroy, by giving a legal sanction to change, or an averted triumph to party, you make martyrs of those from whose hands you have struck the usurpers of exclusion, and convert what you allege to have been an intolerant faction into a proscribed or persecuted sect. The noble Lord concluded by thanking the House for the patient attention with which they had listened to the observations he had felt it his duty to urge on the present occasion, and by moving, "That the Committee on the Bill for the regulation of Municipal Corporations in Ireland be empowered to make provisions for the abolition of such Corporations, and for such arrangements as may be necessary on their abolition, for securing the efficient and impartial administration, and the peace and good government, of cities and towns in Ireland."

Mr. *Lefroy* rose to second the motion. He would not go into all the objections that might be urged against the measure. He would confine himself to those which were most obvious, and then allude to the plan proposed to be substituted by his noble Friend who spoke last. The measure proposed by his Majesty's Government was, in point of fact, exposed to every objection that had ever been urged against the old corporation system in Ireland, with the exception of that of self-election aggravated by placing the power in the hands of an ignorant instead of an enlightened faction. It was calculated to produce still greater evils than the system which it was proposed to supersede, and those evils without any alloy of good. He was most anxious to discover what the real principle of this measure was, but he looked for it in vain in the speech of the Attorney-General for Ireland, or in any speech he had hitherto heard upon the subject. He could discover no possible clue by which the conflicting principles of the Bill could be reconciled. Upon what ground was it that several places were introduced into this Bill, while others with equal, or much stronger, claims to municipal government were totally omitted? Not less than 117 places had been visited, and inquiry made into their various circumstances by the Commissioners, or rather, he should call it, the inquisition appointed by his Majesty's Government. Of these 117 places sixty-seven were selected by the Bill of last session for the purpose of being incorporated upon the new plan. Many of those 117 places had Corporations before. For what reason was it that there were in the Bill of last Session sixty-seven places selected for incorporation, and that in the present Bill the sixty-seven were reduced to fifty-four. Hitherto they had got no information at all upon this point, no reason whatever given for it. They were left entirely to conjecture. With respect even to the present number of fifty-four, was the principle uniform? The first eleven of these were in schedule A, and in schedule B something like a principle was announced. In seven of the places in schedule A the principle put forward was, that they contained a population of 20,000 and upwards, and in schedule B, that the population was under 20,000, and above 15,000. One would think that a similar principle, that of population, ought to be observed in schedule C. Now, what was the fact? There were forty-three places in schedule C, and there were not less than eight places in Ireland entirely excluded from the measure, which had double the population of some of the places in schedule C. The population of Newry was 13,000; that of Dungarvon 10,000. He did not mean to insinuate anything of an invidious nature. The Attorney-General would perhaps hereafter tell them why it was, that these places were included in the measure of last session and excluded in the present Bill, while, at the same time, there were in this Bill not less than eighteen places having an average population under 3,190. Why did the Attorney-General exclude Lisburn, Mallow, and Downpatrick? They were represented as being of the very worst class of Corporations. Why, then, were they excluded? With respect to the whole number of Corporations in schedule C, the average population of the whole was 5,667. Here, therefore, were eighteen places, thirteen of which had Corporations, and the average population of these was 6,488. Why were they excluded, while places with a population of only 2,026 were included? In these eighteen places the least amount of population was 6,000, while the highest was 13,000. Where he saw such disparity—such total want of principle—he must naturally be led to suppose that the third schedule, whatever the case might be with respect to the first and second, had been framed upon no principle whatever. It was done, he had no doubt, deliberately and designedly, though he did not mean to charge his Majesty's Government with having done it. If a Corporation be given to a place with a population of only 2,026, and refused to one with a population of 6,000, upon what principle of justice and fairness could it be explained? Deducting the women and children, the widows and orphans which were stated to be so numerous in Ireland, the place with a population of 2,026 would not, in fact, have a male population of 1,000 in each of the places in schedule C. Deducting besides this, the paupers, the number would be still further reduced. Was it not the most arrant absurdity which could enter the mind of man, to propose the incorporation of places under such circumstances as these? He must come to the conclusion that Government had not given to the measure the consideration it deserved, and left it to the management of those who were not quite so anxious for the peace and the interests of Ireland as he believed his Majesty's Ministers to be. If the measure was absurd and unjust as related to the principle of population, it was still more absurd in reference to the amount of corporate property which was to come under the management and control of the corporate bodies. The average amount of the corporate property in all the Corporations in schedule C was only 120*l.* a year. There were seventeen of them that had no property at all. Three had an income of 12*l.* or 15*l.* a year, and of the remaining thirty-eight, the average income was 53*l.* a year. Now, it was proposed to incorporate the very smallest and most insignificant of these. They were to be encumbered with municipal officers and a regular corporate establishment, mayor, town-council, aldermen, besides officers to attend to the watching, paving, and lighting. There would also be compensation to officers, and all this expense was to be defrayed out of the scanty funds of these corporations. Now, was it conceivable that Government could have well considered such a plan as this? How much money could it be rationally hoped would be laid out in such places for the convenience of the public, for paving, watching, and lighting? The measure could not bear the test of examination in its principles; and, when they came to look into the details and the probable results after it had come into operation, it would appear, undoubtedly, to be utterly untenable. The facts and the data he took from the report, and he admitted that they were correct. When these were brought under the consideration of the Government, how could they possibly say, that this was a measure of justice to Ireland? Such were his opinions with respect to the principle, or rather the total want of principle of this Bill. He would, with the permission of the House, touch upon one or two other topics which were naturally suggested by the measure. So far as regarded these topics, he thought he should be able to show, to the satisfaction of the House, that the Government were not more successful in their plans to benefit Ireland than they were in selecting the towns to enjoy the benefits of a Corporation under the new system. He had no reason to doubt the sincerity of their views, but they were most unsuccessful in the means they took to carry them into execution. The truth was that the whole of the objections to the old system, with the solitary exception of self-nomination, were as strong, if not much stronger, against the new as against the old system. It was true the old system was exclusive. He admitted this. But was it likely that the new would be less exclusive than the old? If this, however, was a valid objection against the old system—and he could not deny that, under the present circumstances, it was—would it be less valid against that now proposed? Exclusiveness formed, in fact, the very constitution of Irish boroughs under the old principle. It was their very nature. It was the principle on which they were originally founded. It was not in consequence of any breach of the charter that they were exclusives. They never were otherwise. They were originally framed with a view to the support of English interest and of the Protestant religion. This was evident from the very wording of the charters. In every case of this kind where a charter or a grant of land had been given these were the grounds upon which the gift was made. This necessarily, and as a matter of course, led to the exclusive system. This ought not to form a ground for their total abolition. They never in any instance attempted to swerve from the objects of their original institution. They never attempted to sever the connexion between the two countries. They were faithful to the last. He was quite ready at the same time to admit, that they could be no longer maintained under the present exclusive principle. His objection to the proposed new system was, that it must necessarily, though in a different way, and with reference to a different class, become as exclusive as the old. What reason was there why they should be abolished now on the ground that they were exclusive, when nothing could be more clear than this, that the system now proposed must become equally exclusive? The old Corporations were gradually decaying, their vigour was in a great measure gone; but by this Bill there would be brought into existence no less than fifty-four new Corporations, in which the principles of exclusiveness must be immediately put into vigorous operation. The 5*l.* rent-payers must form the great majority in all these Corporations, and this great majority must necessarily, from the circumstances of the population, be of one religion. Was it to be expected, with all the feelings of soreness, arising from their late exclusion, still rankling in their minds—with all their recollections of recent contests and differences, both as regarded religion and politics—was it to be expected—was it in the nature of things, that they would not act upon exclusive principles? If one great object of this measure was to apply a remedy to those feelings of soreness which must be engendered by exclusion was it likely to attain the end desired? Would not the evil be the same, though transferred from one class of his Majesty's subjects to another? No doubt, under this Bill, Protestants would be eligible to corporate offices but would they be elected? and were they more likely to be satisfied with mere eligibility than the Roman Catholics were? Considering the great majority on the other side, what grounds could the Protestants have for hoping that they would be returned? Consider, besides, how the dangers to the domestic peace of Ireland must be increased by these new boroughs. They would have, in every one of the fifty-four, a population recognised by law, as having the right to assemble whenever they pleased, and to enter upon the consideration of any subject they might please. There would be no end or limit to their discussions. The whole country would be studded over with 54 schools of agitation in which edicts and manifestoes might be framed a d sent forth to work up the public mind upon any and every subject—upon every question, no matter how great the danger of excitement. In this way the peace of all would be for ever at an end, and not of Ireland alone, but of the empire. What must necessarily follow? Why this, the representation of Ireland will be placed in such a state, that it will be utterly impossible for any Administration in this country to carry on the Government without becoming the slaves or tools to a majority of the Irish Members in the House of Commons, a majority now under the complete control of one great leader. In speaking thus he meant nothing personal, he wished to give offence to no individual. He only mentioned a fact which no person could deny. It was admitted by the hon. and learned Gentleman himself, the Member for Dublin. He acknowledged that he possessed great influence in Ireland, greater than it was advisable any one should have. Now, whence did this influence arise? He had no hesitation in saying, that it was of a religious kind. Would it not be increased by this measure? Could there be a doubt of it? So far must it be increased that no Administration could go on with the Government without reducing themselves to a state of degrading slavery to that one individual and to his majority. The people of England would not submit to this. They were too proud, too high, too independent, too jealous of their liberties. They would sooner cry out for the repeal of the Union, and the Union once repealed was equivalent to a ruinous dismemberment. See what facilities these fifty-four new boroughs would give for discussing that most important question, the repeal of the union, whenever it might suit the caprice or the interest of an agitator to revive the question. These new boroughs would then pour their petitions into the House, insisting that they spoke the sense of a majority of the population of Ireland, and that their demands ought, therefore, to be irresistible. The same reasoning upon this subject of Corporations could not apply to England and Ireland. The circumstances in each country differed materially. In England the Corporations had only national interests to attach themselves to. For these they laboured—it was to these only their efforts were directed. It was not so in Ireland. It was notorious that there existed there anti-English feelings. The repeal of the Union, when proposed, was opposed as anti-imperial; but, if it should be tried again, under the auspices of the hon. and learned Gentleman (the Member for Dublin), it would be taken up and supported as earnestly as ever by these new Corporations. The corporate spirit in Ireland led to concentration, and not, as in England, to diffusion. He, therefore, earnestly importuned the Government to weigh well the measure they were now urging forward. It was perfectly clear that they were utterly unconscious of the dangers of it. The effect of the measure would be precisely to do that which James 2nd attempted to accomplish soon after his accession to the throne. There was a passage which stated the proceedings taken by that monarch with respect to the Irish Corporations, that was so full of instruction, that he must take the liberty of reading it to the House. It states the proceedings taken by King James 2nd, during the Lord-Lieutenancy of Lord Tyrconnell, and speaks of the admission of Roman Catholics into several of the Corporations—"Tyrconnell recommended the city of Dublin to resign its charter to the King, but they refused to do so. They were proceeded against by *quo warranto* and dissolved. So also several others were dealt with in the same way, while some were induced by flattery and others by intimidation to resign their charters." In the new Corporations, it became the general rule in all cities where English interest had been predominant, to constitute the Corporations two-thirds of Roman Catholics and one-third of Protestants. Such was the object of James 2nd, and if there was no other evidence of the purposes which the Irish Corporations had served than that monarch's endeavour to divest them of their charters; yet that alone was sufficient to prove how essential they were for the maintenance of the Protestant religion. On behalf of the Protestants of Ireland, he (Mr. Lefroy) deprecated this measure—a measure which would have the effect of giving into the hands of those whom James 2nd desired to be put in authority, the power of modelling the representation of Ireland for all future Parliaments—he deprecated it on behalf of those who have hitherto held the powers of those who composed the intelligence and wealth of Ireland. A measure might well be introduced from which would accrue all the benefits of a proper administration of justice, of local courts, and of paving, watching, and lighting corporate towns. All these benefits might be achieved for both Roman Catholics and Protestants in a manner that would not give offence to either party, nor invest the one with dominion or power over the other. Another objection which had been urged against the Irish Corporations, as at present existing, was the abuse of their corporate property. Now, these Corporations had been examined into in this respect, and the investigation had been extended from the year 1310, in the reign of Edward 2nd, down to the present moment, comprising about five centuries, during which time all the abuses had been raked together; and yet, in the midst of all the allegations of abuse, he could only find two instances which really could be considered as breaches of trust. He admitted that many Corporations had disposed of their property most indiscreetly, but they had done so in the exercise of their full legal rights, and if they had squandered it, they did that only which many private individuals had done. The Report, however, contained only two instances, and those were Limerick and Galway, where the corporate property was clothed with a trust for local purposes. This was admitted by the late Attorney-General for Ireland last year; and yet, though the property had been disposed of, nay, squandered, still there had been no breach of trust; but as reference had been made to the abuses of Protestant Corporations, he would just remind the House of an example afforded by the Report of a liberal Corporation. He alluded to the corporation of Tuam, of which the sovereign and burgesses were all, with one exception, Roman Catholics. It appeared that the property of that Corporation consisted of tolls, which previous to 1827 were let annually by auction. In that year, however, the tolls producing, as was admitted by the sovereign to the Commissioners, 400*l.* per annum, were let for five years, not by auction, but by private contract, at 250*l.* per annum, to the committee for building a Roman Catholic chapel. In 1832 the term expired, but the committee were still allowed to remain in possession without an account being taken. Of the 250*l.* rental, the Corporation applied 200*l.* a year to the payment of certain corporate affairs, and the balance of 50*l.* was presented as a donation to the committee for building the chapel. Now could it for a moment be contended, that this was a purpose for which the property was given to this Corporation, when the fact was remembered that it was founded by James 1st, confessedly for Protestant purposes? There then was the liberal Corporation applying its property directly in breach of the trusts made to them by their Charter, and in violation of the objects for which it was invested with them. With this instance before the House, what right had they to expect that Corporations modelled on similar principles to this—modelled without reference to religious prejudices, would use their property more conscientiously than this had done? The Question now before the House, however, was not narrowed to the use or abuse of corporate property, for there was the alarming and indefinite power invested in the new councils. He begged to call the attention of the House to the alarming power conferred by the 88th section of this Bill. It gave an indefinite power of taxation to raise funds for all the purposes of the Act. The abuse of such a power as this might be carried much further than could possibly have occurred under the old system. It would come home to the house of every man. From the taxes thus to be levied—to any extent the council might please—the Mayor, Aldermen, and all the corporate officers were to be paid—the expenses of cleansing, lighting, and paving to be defrayed—the constables, collectors, and the whole body of the men employed in these various operations to be paid. All the houses were to be rated according to valuation; the *5l.* voters would, no doubt, be rated like the rest. But who were to vote the taxes? The council. And who elected the council? The *5l.* voters, of course, for they would form the great majority in the Corporations. In effect, the principal, the far greater part of the rate, for all corporate purposes, must be paid by the best class of houses, and those were occupied by Protestants. Must not this operate most unjustly? He asked on what principle it was that the power of taxation was to be confided to a body who must necessarily, from their peculiar constitution, be exclusive, and disposed to lean more to the one side than to the other? Here would be a new abuse, if the power of taxation was given to those the great bulk of whose constituents must be those in whom the Protestants (who would in fact, pay the bulk of the taxes) could not confide. And he might remark in this place, although somewhat out of the order of his observations, that it was a singular fact, that out of the thirteen boroughs omitted from the operation of the Bill, eight were those in which the preponderance would have been of Protestants. He had now adverted to the main topics on which he had considered it necessary to address the House, and which had not been gone into in detail by the noble Lord; and he thought it must be quite obvious that, with the exception of the principle of self-election, all the objections which were said to apply to the old system would be found equally to apply to that which would be created under the Bill—those of the exclusive administration of justice, the placing political power in the hands of persons of an opposite religion from those by whom it was to be exercised, and the evil effects of the abuse of property. On the other hand he thought it must be equally obvious that there were none of those better portions of the present measure for which the Bill introduced last year by the right hon. Baronet, the Member for Tamworth, would not have provided for, whether as regarded the regulation of the police establishment, the administration of justice, the appointment of local officers, or the administration of the local and internal affairs of the several Corporations. The danger in revising and remodelling these Corporations according to the plan proposed by this Bill, if not certain, was, at all events, more than probable—it was imminent. No one desiring the peace and welfare of Ireland could say, that he felt perfectly at his ease on the subject of such an experiment. Why, then, if no advantage was to be got by this measure which could not equally have been got from that of the right hon. Baronet, should risk be encountered? Why should Statesmen give up the convictions of their own judgment at suggestions coming from a quarter all suggestions coming from which he (Mr. Lefroy) hoped would be received at least with caution? Under these views of the subject he did hope and trust that the Government would be induced to forego that part of the measure which went to reconstruct these Corporations, and to adopt that wise, safe, prudent, and unobjectionable course proposed on his side of the House, and which would give to Ireland all that which her best friends could desire.

Viscount *Morpeth* said, that one thing had been very clearly made out by this discussion, namely, that his noble and right hon. predecessors in the office which he had then the honour of filling, the right hon. Baronet, the Member for Tamworth, and the noble Members for North and South Lancashire, must have gained from their official residences in Ireland, such an insight into the whole constitution of these Irish Corporations, that they rushed with eagerness, beyond all others, to the work of destroying those Corporations, and were anxious that the Legislature should obliterate every record and trace of them from the land which they had so long encumbered and disgraced. In rising to offer a few observations on the proposition before the House, he hoped that he should be able to imitate the calm and moderate tone adopted by his noble Friend when he moved the amendment, than which, indeed, no less was expected from his high and generous disposition. Previously, however, to offering the remarks which he intended to do to the amendment proposed, he wished to observe that there was not apparently a very great difference between the two plans the House was called upon to consider. With reference to the observations made, he would say, that the Bill had been more sharply attacked than attentively considered. The Bill, however, before the House, as well as the amendment, possessed this common excellence—namely, that both proposed to sweep away that mass of mischief which existed in the Irish Corporations, and which, for so long a period, had produced such discord and unseemly results in that country. True, these plans proposed to go to work by different modes, but in both it was proposed that there should be a rigorous use of the pruning-hook for what was bad; but the Government, in their plan, considered what was Conservative, and proposed to introduce a more healthful graft in the place of the limbs they cut off—a plan which was free from that imputation which gentlemen opposite were most anxious to disclaim, but which they had themselves neglected, for they proposed to lay the axe to both root and branch, and cut away the whole of the Corporations in right good earnest. This was the distinct and narrow ground of difference between the Government and their opponents. The difference which gave rise to the amendment seemed to spring from the mode of appointing Sheriffs for counties of cities and towns. This, he admitted, was a very fair subject for consideration. It had been the object of those who framed the Bill, by the 54th clause, to subject the appointment of Sheriffs to the control of the Crown, and when the proper time arrived the provisions of the clause would be open to examination, as to whether they had made it sufficiently clear and direct to effect the end in view. Another point on which the supporters and opponents of the Bill differed was, whether the chief functionaries of these Corporations, who were elected by the town-councils, which councils were themselves chosen by the entire constituency of the town, were to be allowed to act as Magistrates in their corporate towns. Another difference arose as to the management of the public property of these Corporations, of which the Government proposed, that the town-councils should have the control and management. His noble Friend proposed that it should be intrusted to Commissioners appointed by the Crown. He confessed that he heard this novel proposal to grant confidence to his Majesty's Government with some satisfaction; for although the noble Lord merely proposed that the Commissioners appointed by the Treasury should have the temporal control of these funds, he (Lord Morpeth) saw that the proposition did not betray, on the part of gentlemen opposite, that want of confidence in the Government which some of their supporters would have it believed existed. These seemed to him to be the sum and substance of the difference in the two measures. It would be recollected that all the purposes of paving, lighting, watching, and cleansing the corporate towns were provided for by an existing Act, and the noble Lord proposed to leave to an elected body, chosen by a class of persons possessed of the lowest qualifications stated in the Bill, the control of the funds raised for those purposes. When his noble Friend talked of the evils of allowing a town-council to appoint an armed police, he seemed to have indulged in some exaggerations, and not to have attended to what was proposed in the Bill. The police force in these towns, to be appointed by the town-councils, was only similar to the nomination of watchmen and constables in the English Corporations. The noble Lord was pleased to call this an armed police in Ireland, and to look with some degree of alarm at their appointment; but he (Lord Morpeth) begged to inform the noble Lord, that the town-councils would have nothing to do with the armed police. This was never intended by the Government; for he had laid a Bill on the Table, giving the Lord-Lieutenant a greater control than he ever had over that force, and enabling him to issue regulations for the government of that force in counties, or counties of cities, and towns. He also perceived another difference in the two schemes, which had been passed over by the noble Lord, namely, the mode of dealing with the freemen. In conformity with the shape in which the English Municipal Bill stood, and in conformity with the expressed wishes of gentlemen opposite on former occasions, it was proposed that the said freemen of the corporate towns in Ireland should stand on the same footing as the freemen of the English Corporations. What his noble Friend might intend to do with the freemen, he knew not, but the Government proposed that the present freemen should be continued in the possession of the right they now enjoyed. His noble Friend did not state how the present freemen were to be dealt with, nor did he say how he and those with whom he acted proposed to deal with the inchoate privileges and rights of freemen yet unborn, about which they had heard so much last Session when the English Bill was before the House. He should be glad to hear some explanation from the noble Lord on this part of the subject. Before he proceeded further he wished to observe on this point that he was glad to see the right hon. and learned Recorder of the city of Dublin in the House, because it had been stated on a former occasion that his Majesty's Ministers, knowing that they should be safe from the terror of the talents of that right hon. Gentleman, had contrived to postpone the second reading of that Bill till the right hon. Gentleman was absent from Parliament attending his duties in Dublin. He was glad, therefore, the right hon. and learned Gentleman was present, for no doubt he had consulted the freemen of the city of Dublin as to the preservation of their rights. In reference to this subject, the learned Gentleman, on presenting the Lord Mayor of Dublin elect last autumn, addressed the following observations to the Lord-Lieutenant:—"Neither, my Lord, am I so unreasonable as to contend, that where any great organic alteration has been made in the constitution, there should not be a gradual and harmonious adaptation of all its parts and members to the existing condition of that country. I do, however, earnestly deprecate intrusion under the guise of reformation, upon the part of the Corporation, while I am of opinion that they should allow, and cheerfully submit to any change in their form and constitution which was reasonable, and calculated to give general satisfaction, provided always that it preserves the substance and the essential influence of their ancient charter. I do at the same time feel aware, in approaching the defects of such a body, that a reverence is due to their great antiquity, their deeds, their courage, and faithful services, which have shed a lustre round the memory of their predecessors." The same freemen, then, who were so highly eulogized by the right hon. Gentleman, were as strongly condemned by his noble Friend, the Member for North Lancashire (Lord Stanley), who was ever their persevering foe, and who proposed to disfranchise them in the Irish Reform Bill, as he now recommended that they should be deprived of their corporate freedom. When the Irish Reform Bill was before Parliament, the right hon. Recorder for Dublin then said—"In the city of Dublin there are no less than 4,000 or 5,000 freemen whose rights must merge in the constituency of 10,000, which it is proposed to establish. Of that increase I do not complain. What I complain of is, that in England the rights of the freemen have been preserved in perpetuity—in Ireland they are to cease with the existence of those persons who now possess them. This injury will offer a direct insult to the people of Ireland. It is an insult not merely to the freemen of Dublin, but in all parts of Ireland." The right hon. and learned Gentleman, in a subsequent part of his speech, stated that the proposition was a stigma cast on the party of the hon. and learned Gentleman, and that it would lead to their supporting the repeal of the Union. He said—"That party has constantly opposed the repeal of the Union, but I now tell the right hon. Gentleman that all his measures tend to forward a serious change of opinion which is taking place upon that subject. I verily believe that before long almost the whole of the Protestant population will call out for a repeal of the Union." He was of opinion, notwithstanding the assertion of the right hon. and learned Gentleman, that neither Catholic nor Protestant would be anxious for the attainment of repeal, if they were sure of equal civil rights and privileges, without regard to religious distinctions.—In remarking on the two schemes before the House, he wished to guard hon. Gentlemen against being misled by any distorted views of the Bill, which, with great skill and ingenuity, had been conjured up by the right hon. Member for Tamworth. He was sure that the right hon. Baronet would not wilfully mislead the House, but the right hon. Baronet had mixed up different clauses of the Bill, and had suffered one part to glide into another in a manner calculated to lead to erroneous views, as had been clearly shown by his right hon. Friend, the Chancellor of the Exchequer, a few days since. He would not go back to former details, but he wished to remind the House that the towns and cities of Ireland, to which it was proposed in the Bill to give a separate commission of the peace, and which were to be filled by Judges appointed by the Crown, were only eleven in number; the counties of cities and boroughs, in which Sheriffs were authorised to summon Jurors were only eight in number; and with respect to the appointment of Sheriffs in these places, he left that open to future discussion. The towns in which the town-clerks were to summon juries were only three in number. With reference to this subject, he admitted, with the noble Lord, that if injustice was done in consequence of this proposed arrangement, it was quite immaterial, however small the number of towns in which it was perpetrated, but a stop should be put to it. He admitted that it might be quite regular then to propose some alterations in the provisions of the Bill, but he contended that it was not within the scope and extent of the rules which should govern them in going into Committee, to call for the application of an entire new principle, or to demand a new machinery in that stage of the proceedings. The hon. and learned Gentleman (Mr. Lefroy) had complained that more boroughs and towns were not included in the schedules. He stated that 117 corporate cities and towns had been visited by the Commissioners, and the number of places mentioned in the schedules to the Bill did not exceed fifty-four. The hon. and learned Gentleman, before he had passed the censure which he did, should have read in the Report the reasons which had governed the Commissioners and the framers of the Bill in not introducing more places. They were told that, out of the 117 corporate towns inquired into by the Commissioners, there were twenty-two places which had no Municipal Corporation, and there were twenty-four other places in which the Commissioners were unable to discover any remains of Corporations which existed in 1800, and eleven were in a state of doubtful existence. The Bill of last year contained a list of sixty-seven places, and it rested on the essential principles of the English Bill. The noble Lord did not seem to be aware of the difference between the Bill of last year and the present one; indeed, from the language he had used it would appear that he had not diligently studied the Irish Bill, nor had the hon. and learned Gentleman consulted the provisions of the English Bill. They did not propose in this Bill to incorporate any towns not now in possession of charters. Allusion on this ground had been made to Antrim, but he would ask, was the right hon. Baronet prepared to prove that Antrim was not in possession of a Corporation? If this could be shown, he would not object to exclude that city from the schedule. They had been told that such towns as Middleton and Belturbet should not have been included in the Bill, while others of more importance were left out; but he would ask whether it was the object of the party opposite to incorporate any of these places? He would, however, observe on this point, that they had left these two boroughs in the Bill, because they found them in actual possession of corporate rights, and of corporate property. If they had not found these towns in actual possession of corporate property he admitted that they would have been fair cases for exclusion. The hon. and learned Gentleman opposite had complained of the exclusion of Newry and Dungarvon; but he was sure that his hon. and learned Friend (Mr. Sergeant O'Loghlen, Member for Dungarvon) would not have consented to their exclusion, if there had not been good reason. He need not say that his right hon. and learned Friend, standing in the relation which he did to the latter of these places, would have been extremely glad to have done anything which he consistently could, and which would be agreeable to the inhabitants of the place. He repeated, that for some good reasons they were not included in the schedules of the Bill, and those reasons were similar to the reasons on which neither Manchester nor Birmingham was inserted in the English Bill. With reference to the mode that was suggested for the appropriation of the corporate funds, he would only observe that hon. Gentlemen opposite attempted in their present proposition to surpass the Ministerial side of the House in the science of appropriation. With respect, however, to incorporation, he would beg to observe that there was a clause at the end of the Bill to enable the King to grant charters of incorporation to towns. They had not proposed to place the names of a number of large towns in Ireland in the schedules, because they had not inserted the names of towns in the schedules of the English Bill, which were not then in the actual possession of charters. This plan had been adopted, after mature consideration, as the best that could be acted upon. The right hon. and learned Gentleman who spoke last complained of the burdens that this Bill would inflict on Irish corporate towns, and that the property of these places on the average did not exceed 120*l.* a year. He (Lord Morpeth) thought, that by due and prudent management, it would be found to amount to much more than that sum. With respect also to the compulsory payments in the towns for corporate offices, the hon. and learned Gentleman should recollect that, from the nature of the offices, the salaries would be small in the lesser boroughs. The hon. and learned Gentleman also complained that the power of taxation would be left in the possession of the 5*l.* householders. But did he forget that that class of persons at present had the power of electing Commissioners for levying compulsory rates for paving, watching, and lighting towns? If the hon. and learned Gentleman supposed that it was likely that this class of persons would conspire to lay a heavier rate on their richer neighbours than they themselves paid, he would only say, in reply, that he did not think that it was possible that the class of persons who composed the holders of the 5*l.* franchise would for one moment lend themselves to such a project. Indeed, they could not refer to a single instance of such an attempt, and they had superabundant evidence on the other side. The hon. and learned Member made some allusions to the Corporation of Tuam, which was composed of Catholics, with the exception of one member, and that this Corporation had mortgaged its property to the trustees of a Catholic chapel in that town. He did not wish to defend the Corporation of Tuam; on the contrary, he objected to it as a close body. The Corporation accounts were open to none of the inhabitants, and there was no efficient control over the expenditure. When, however, the hon. and learned Gentleman brought forward this case of the conduct of a Catholic Corporation, he (Lord Morpeth) would, as a set-off, refer to the conduct of the Corporation of Londonderry. The Commissioners in their report state, "that a new set of bells was purchased and set up by the Corporation for the cathedral of Derry in 1812, at a cost of 1,591*l.* 18*s.*, and that the Corporation contributed, in 1823, towards the repair of Derry cathedral the sum of 1,600*l.*" This, then, was an instance of appropriation for purposes which were not for the benefit of all the inhabitants of the town, but for the advantage of a particular class. This was a case in which there was the same misappropriation of the funds as in Tuam, and equally required a remedy; for he contended, in these cases, what was good for Peter was good for Paul. All that he required was, that the inhabitants of a town should have the administration of their own affairs, and that those who contributed to the local taxation should have control over its distribution; by doing this he thought they would have an efficient check against its misappropriation. He trusted that the House would adhere to the plan originally proposed by his Majesty's Government, and not suffer itself to be carried away by the more revolutionary gale which blew from the other side of the House, or be influenced by the spirit of the noble Lord, which was so full of allusions to ravages and deluges. He felt satisfied that the election of the local officers, the constantly recurring discussions in the town-councils, the repeated consideration of local affairs and all matters connected with local self-government, would not be without benefit to such a state of society as existed in Ireland. The noble Lord, the Member for Lancashire, said, the other evening, that he thought it was to little purpose to inquire into the object of forming the present system of local government in Ireland, but he (Lord Morpeth) thought it would be still more useless to inquire into the object in forming many of the regulations in the early Irish Corporations. But from all the information that he could glean respecting those early times—and he was aware that the subject was one of great obscurity—the power of choosing the municipal officers who exercised control over local affairs was vested in the inhabitants at large of those places. Certainly the policy that was then followed was rude and imperfect, and in those barbarous times these Corporations stood as the outworks of civilization. But whatever was the then object was immaterial;

but the wish of the Government in bringing forward this subject was to restore, and form anew, and in an effective manner, Irish Municipal Corporations, which would serve for the effective administration of local affairs, and afford the inhabitants a control over the expenditure of local funds. They had been told by the noble Lord, that in Ireland, in making their arrangements for local government, they should recollect how much party spirit and party animosity existed there. but he was quite sure that this measure, if carried into effect, would not make those feelings go further; on the contrary, it would tend essentially to mitigate and allay them, by giving the people something else to discuss than differences arising from religious grounds. By pursuing this course interests were created, which would be constantly discussed, and which, in consequence of their nature, would be more moderately treated. He was satisfied of this, because the subjects likely to be discussed had a settled tendency to allay soreness, and instead of matters of excitement, they would be sitting down to the every day business of life, in which it would be very difficult for men to exhibit the violent party feelings which now prevailed. He thought that there were also other grounds that made out a system of local government, as was then proposed, more necessary in Ireland than in England and Scotland. Dublin was not so disproportioned in size and wealth to London as the towns in the provinces of Ireland were to those in England. In Dublin there was something analogous to London, but in Ireland there were no such towns as Manchester, Leeds, Birmingham, or Glasgow, nor such a multitude of market towns as in England, which were a source of riches to the surrounding agricultural districts. He admitted that there was much in Ireland which made it desirable to centralise certain businesses in Dublin or London. On this ground he had proposed the Bill to effect certain changes in the constitution of the constabulary force—a Bill which was regarded as a bugbear last year, but which, seemingly, was regarded by gentlemen opposite this year as a godsend. In this Bill he had endeavoured to adopt the principle of centralisation as much as he could. In the constitution of this armed force of police, he thought that a different principle should be acted upon than that proposed in this Bill. In the counties in Ireland, therefore, they proposed that the nomination and control of the police force, instead of being intrusted to irresponsible Grand-Juries, should be left to those who would be accountable for their conduct. They proposed that the control of the unarmed police in towns should be left, not to irresponsible and self-elected persons, but to responsible authorities, chosen by those who were most interested in their good conduct, and who must suffer by any maladministration. He did not propose to abandon the principle of centralisation in Ireland, when it could be carried into effect advantageously; but at the same time, when he found that it was more beneficial, he proposed that the inhabitants of towns should have control over their own concerns. In his opinion the scheme of reform proposed by the Government, on their responsibility, was a real and palpable advantage over the scheme of annihilation first shadowed out by the right hon. Baronet, the Member for Tamworth, and that evening grown into a substantive form, in the shape of the amendment proposed by the noble Lord opposite. The chief reason for refusing to adopt the amendment was, that it asserted as a principle the incapacity, on the part of the people of Ireland, to exercise the rights, and privileges, and duties now so advantageously performed by their more favoured fellow-subjects in England and Scotland. Therefore, it was placing the people of Ireland necessarily in a situation of inequality and inferiority, as regarded civil rights and privileges, and consequently inflicting on them what they could not but feel as an injustice, and which they might be roused to resent as an insult. In such case it would be easy to throw blame on the exciters of these measures; but in his opinion it would be a much wiser part to give them an equality of civil rights, and not to leave wrongs unredressed. The noble Lord (Francis Egerton) refrained from alleging any religious grounds as reasons for exclusion; but his noble Friend, the Member for North Lancashire (Lord Stanley), on a former night, certainly did allege religious grounds as the basis for a political difference. No one more respected the conscientious feelings of his noble Friend than he, or was less insensible to the purity of the motives of his noble Friend; but he could not value them very highly in matters of purely a temporal nature; and he owned, while he admitted the conscientious feelings of his noble Friend, he could not help doubting the soundness of his political views. Perhaps, in less enlightened days they might resort to this species of argument, but it was hardly to be expected that in the present day, in the nineteenth century, after the Catholic Relief Bill had been passed, and after the Reform Bill had passed, that it could be seriously admitted that the Protestant religion could be endangered by any species of monopoly which could be enacted under this Bill. Such a reason to disqualify the large mass of the people of Ireland from equal liberty, he must wholly repudiate. He was surprised, indeed, that the religious grounds should have been urged with reference to the Irish boroughs, and that danger to the Protestant religion should be anticipated from the destruction of bodies, which, however intended, had certainly not hitherto added to its security or its strength. When it was remembered that the Protestant religion had been exposed to the opposition of emperors and general councils—that it had defied the edicts of Farnese—the thunders of the Vatican, and the arms of Alva, it was too much to suppose that the carrying the Irish Corporation Bill would expose it to danger. His right hon. and learned Friend, the Attorney-General for Ireland, when he made his statement on introducing the Bill, brought forward some cogent reasons for passing it, which he had taken from a speech of his noble Friend on introducing the Irish Reform Bill. His noble Friend had then clearly shown that they were then legislating for political and not for religious purposes, as was also the case in the present measure. He did not doubt, from what Gentlemen opposite said, that there would be a large influx of Tories into these town-councils unless, indeed, those who had hitherto borne that title should have at once given it up, and have even repudiated the name of bit by bit Reformer, in order to become Destructives. He had only further to state, what was indeed admitted on all sides, that the system which prevailed under the self-elected, irresponsible Corporations, which he was loth to call Protestant, must be got rid of; but he trusted that they would hesitate before they had recourse to such a violent remedy as was proposed on the other side. Let them rather exert themselves to introduce such a system of good government in towns and cities as would be consistent with justice, and which would be beneficial to the inhabitants of not only the boroughs, but the country at large. If, on trial, they were found to have exercised the trusts reposed in them unfairly, partially, or corruptly, then, and not till then, let the Legislature resume from them the powers which they would have abused, and the privileges which they would have forfeited.

Mr. Sergeant *Jackson* said, that the supporters of this Bill claimed for the towns of Ireland Municipal Reform similar to that which had been granted to the towns of England; but, before he proceeded to that question, he wished to make a few observations on another part of the case. It was said, that this measure and the English Bill proceeded on the same principles; but he begged to call the attention of the House to many points in which they differed most essentially. In the first place, he wished the House to look at the fourth section of the Bill now under discussion, and to compare it with the sixth, the corresponding section of the English Bill. This section of the Irish Bill, it would be found, contained a great variety of matter which was not inserted in the English Bill, but still not one word had he heard from the hon. Gentlemen opposite which explained, or any way accounted for, the obvious departures in this respect of the Irish Bill from the provisions of the English Bill. The Bill now under consideration provided, after stating that the new Corporations were "to be styled mayor, aldermen, and burgesses—that they shall be capable in law, by the council hereinafter named of such borough, to do and suffer all acts which such bodies corporate lawfully may do and suffer, and shall be entitled to, invested with, and possessed of, all the lawful rights, trusts, properties, and estates now or lately legally invested in, or belonging, or which of right ought to belong, to such boroughs or bodies corporate respectively, save only and except those vested in the charitable trustees of such boroughs, pursuant to the provisions hereinafter contained; and the mayor of each of the said boroughs shall be capable in law to do and suffer all acts which the chief officer of such borough might or may lawfully do or suffer, so far as such powers, rights, trusts, and privileges respectively are not altered or annulled by the provisions of this Act." The latter part of this section was altogether omitted in the English Bill, and he should therefore like to know for what reason the remarkable word "trust" had been inserted in the Irish Bill, when it was not to be found in the corresponding provision of the English Bill? There was some mention made of "trusts" in the Report of the Commissioners, but then there was a saving in this clause with regard to trusts of a charitable nature. To show how delusive this saving was, he would take the city of Cork, a town with which he was well acquainted. In that city the Corporation were invested with trusts which, though not exactly bearing the character, were devoted to charitable purposes, and yet what would the effect of this Bill be in all such cases? Why, that by its operation, the whole of such trusts would be transferred to the management and control of the councillors of the Corporation. Here, then, was a clear departure from the English Bill, but no reason whatever had been given for it. If such words had no meaning, were intended to have none, why employ them? But if they had, if they were intended to produce a certain effect, why not say so at once, and manfully account for their introduction into the Irish Bill? The declared object of the framers of that Bill was to apply to Ireland the same principles of reform which had been proceeded on in the English Bill; but he should like to know from those Gentlemen a single instance in which a defunct Corporation in England had been again raised into existence? In Ireland several departed Corporations were, it seemed, to be called back to life, and yet they were told that there was no departure in this measure from the English Bill. Newry, which contained a population of of 13,065, and the limits of which extended from a mile and a-half to two miles—a town occupying 2,500 acres, and returning a Member to Parliament, was altogether omitted in the present Bill, although it was included in the Bill of the last Session. Newry, then, according to the present measure, was to have no Municipal Corporation, although other places less entitled to a charter were; and the same might be said of Downpatrick. The Assize town of the county of Downpatrick was also included in the Bill of last Session, although omitted in the present measure. But was it not curious that a small town like Bangor was to be deemed fit for the advantages of a Corporation, while extensive towns, such as Newry and Downpatrick, were to be left without the power of self-government? The population of Bangor was 2,741; its limits, though not stated in the Report, were but small; and the Members of the Corporation amounted to no more than twelve, all of whom were either of the Ward family, or the friends and relations of that family. Why this should be, he certainly was at a loss to conceive. In Bangor there was a place of confinement called the "Black hole," but only one person was ever known to have been confined in it, and although the whole of the corporate property at the disposal of the Corporation did not amount to 50*l.* a year, yet Bangor was to be honoured with a Corporation, while towns which returned Representatives to that House were to be precluded. Perhaps it might be assigned as a reason for passing over Newry and Downpatrick, that the Corporations of these places had fallen into decay. That, however, was not the principle on which the Government proceeded, because, they had proposed to give a charter to the miserable town of Middleton, the population of which did not exceed 2,044. It was not easy to discover why a place so insignificant should have been called into existence as a Corporation, when Mallow, with double, he might say treble, the amount of population, and entitled to send a Member to Parliament, was excluded. No satisfactory explanations had up to that hour been afforded on these points; but as he did not wish to trouble the House by enumerating the various other instances in which the Bill departed from the English Bill, he would proceed to show that the framers of the measure under consideration had not been guided by the principle for which they claimed credit, viz. that of giving to Ireland a Municipal Reform similar to that which had been granted to England. He could not, however, omit calling the attention of the House to another extraordinary instance of departure from the English Bill which the Irish Bill exhibited. This would be found by a comparison of the 5th section of the Irish Bill with the 9th, the corresponding section, of the English Bill. In the English Act, occupation for two, he might say three, years was made an indispensable requisite in the qualification of a burgesss; but in the Irish Bill, all that was necessary to entitle a party to have his name placed on the burgess roll was an occupation of little more than six months. No reason had been given for this departure, although he should have thought that the House were entitled to some explanation on the subject. As his hon. and learned Friend had addressed himself chiefly to the administration of justice and malversation, he (Mr. Jackson) had felt it necessary to advert to those points. There was another difference in this same section and the corresponding section of the English Bill, which likewise called for explanation. In describing the nature of the qualification in respect of which persons might claim to have their names placed on the burgess roll, another remarkable word was employed. It was said, that persons should be entitled to act as burgesses of any borough who "shall hold and occupy within such borough any house, warehouse, counting-house, office, or shop, which shall be truly and really of the full yearly value of five pounds." He begged to call the attention of the House to the word "office" in this enumeration. No such word appeared in the English Act, and why it had been inserted in the Irish Bill he had no small curiosity to know, If an "office" were to confer the right of voting in the affairs of Corporations, might not every room in every house in a borough be converted into an office for the purpose of making votes in favour of one party or another? This would clearly amount to something very much resembling universal suffrage; and if it were not intended to establish the principle of universal suffrage, such a qualification should be expunged from this Bill. It was only by close examination and collation that the essential difference between the two measures could be discovered, and it did strike him as somewhat singular that no such word as "office" was to be found in the Irish Corporation Bill of last Session. He thought the House should be told fairly and candidly why that word had been introduced into the present measure. There were also other circumstances besides those to which he had adverted connected with this Bill, to which he wished to call the attention of the House. In England, the qualification was made with reference to the payment of poor rates. There were no poor rates in Ireland, and therefore it was necessary to substitute for that some other test of qualification. What was the test of qualification which was proposed for the Irish boroughs? Why, the occupation in Cork, Limerick, Waterford, and other towns of the first class, of a house and premises of of the value of 10*l.*, and in places of less consideration, of *5l.* Now with respect to Cork, which had a population of 100,000 he would venture to say that the effect of such a provision would be to enable every labourer within seven miles of that city, who occupied a mere shed and a few roods of land, to participate in all the privileges of the Bill, no matter how small the value of his holding might be. Persons of the description he had named, would be entitled to become town-councillors under this Bill, and if he were not greatly misinformed, he might state that the hon. Member for Cork, whom he saw in his place, and who would correct him if he were in error, had been sent to that House by no fewer than 600 voters, who could not even write their own names. The same persons would, if this Bill were passed, have the election of the municipal officers of the Irish Corporation towns thrown into their hands, and that was a state of things which resembled nothing that existed in England. There was another most important matter, to which he wished to call the attention of the House. In England, the lists of voters were prepared by the overseers of the poor, whose duty it was annually to collect and furnish the names of the persons entitled to act as burgesses in municipal elections, but what was the arrangement in this respect for Ireland, where there were no overseers? Why, this duty was to devolve ultimately upon the town-clerks. The first year after the passing of this Bill, the burgess lists were to be prepared by the churchwardens, but afterwards that duty, with others, enough to incapacitate them, would fall upon the shoulders of the town-clerks, who were not only to have charge of the records of the Corporation, to advise the town-council, to act as clerks of the Crown, to perform the onerous functions of registrars of the Courts of Conscience, but to revise annually the burgess lists. He was convinced that burthening those officers with such a multiplicity of duties could only lead to confusion and abuse. He now begged to call the attention of the House to a matter much more important than anything to which he had hitherto referred. The noble Lord had said that the new Corporations would only have control over the watch of their own boroughs, and that the whole of the armed police force would be under the exclusive direction of the Lord-Lieutenant. This Bill made a most extraordinary alteration in this respect, for not only were the watchmen to be absolutely an armed police of the municipality, but "as soon as constables shall have been appointed by the watch-committee for any borough, a notice, signed by the mayor of such borough, specifying the day on which such constables shall begin to act, shall be fixed on the doors of the town-hall and every place of public worship within such borough; and on the day so specified in such notice, so much of all Acts named in conjunction with such borough in the schedule E to this Act annexed, and of all Acts made before the passing of this Act, as relates to the appointments, regulations, powers, and duties, or to the assessment or collection of any rate, to provide for the expenses of any watchmen, constables, patrol, or police, for any place or places situated within such borough, shall cease and determine, and all watch-houses and watch-boxes in such place or places, and all arms, accoutrements, and other necessaries provided at the public expense for any watchmen, constables, patrol, or police therein, shall be given up to such persons as shall be named by the said mayor in such notice, for the use and accommodation of the constables to be appointed under this Act, and all the property so to be given up shall be deemed to belong to the body corporate of such borough." Now it would be observed that immediately after the publication of this notice, all the Acts enumerated in schedule E, would cease and determine, and that from that moment there would also be an end of all the Acts by which rates are levied in certain districts for the pay of the police. The watchmen, if so they could be called, were to be armed exactly like the police; but was it not perfectly plain that repealing these Acts, which enabled half the expense of the police force to be raised by presentment, would, in effect, take the whole control of the constabulary of those boroughs out of the hands of the Lord-Lieutenant, and place it in those of the town-council? This was, he submitted, a formidable power to place in the hands of such persons, and he therefore trusted that what he had said would draw the attention of hon. Members to this extraordinary provision of this Bill. He could adduce a great number of other instances of departure from the English Act; but he would only trespass on the House to recapitulate some of those to which he had already called the attention of the House. There was a difference as regarded trusts—the revival of decayed Corporations—the qualification of burgesses, and the insertion of the word "office," from which a system little short of universal suffrage must arise. These things, taken in connection with the other discrepancies, which he had pointed out, proved that this Bill was *toto cœlo* different from the Acts passed for the Reform of the Municipal Corporations in this country. His right hon. and learned Friend had assumed that those who could not agree with the principles of the Bill which he had introduced, must be actuated by some particular motive. Now he could see no other reason for objecting to it than the state of society in the two countries. No man could deny, that the state of society in England and Ireland differed on many essential points. In the first place, they had a body of men in Ireland, to whom there was in England no class either similar or analogous. The body of men to whom he alluded, influenced elections, political and municipal, to an extraordinary, an incredible, extent. They had in Ireland a large establishment of the Roman Catholic hierarchy and clergy. [*Cheers.*] He did not believe that the hon. Member who cheered him meant to dissent from the fact which he had stated. He repeated, that they had in Ireland, Roman Catholic Archbishops, and Bishops and dignitaries of every degree, as well as a vast number of parochial clergy. The parochial clergy, alone, he believed, exceeded 3,000 and besides these there were a great many who belonged to different religious orders. The House would permit him to say, that this body, he meant the Roman Catholic clergy, made it their business to interfere in every election which occurred in Ireland. The influence which they exercised over the electors was the bane of that country; and all he could say was, that if the present corporate system were abolished, and this Bill passed into a law, every borough in that country would be reduced to a frightful condition. Throughout the whole year they would be disturbed by elections. The Sheriffs were to be elected triennially, and the election of mayor, aldermen, and town-councillors, would furnish fresh scenes of agitation. This was not all; for in the cases of death, bankruptcy, insolvency, or absence for a month, of a municipal officer, a new election was to take place within ten days, so that he might venture to say, that the whole of the corporate towns of Ireland would exhibit from one end of the year to the other nothing but scenes of election tumult and disorder. If to these evils were to be added anything like the bribery and intimidation which he had heard of while on the Intimidation Committee of last Session, all he could say was, that they could not give to Ireland a greater curse than that which was now represented as a boon to that country. He should presently call the attention of the House to some instances of the part which the Roman Catholic clergy took in the Irish elections, and the frightful state to which that country was reduced in consequence. This would show the difference of the state of society in England and Ireland; for in what part of this country—in what English county—he should like to know, would there be found thirty-six individuals awaiting their trial for no less a crime than murder? It was a melancholy fact, but it was not the less true, that at the Assizes for the county of Tipperary there were no fewer than thirty-six cases of murder to be tried. In Ireland, from 1829, down to the present time, there had been as many as 700 homicides, and it was the system of tumult and agitation which had been allowed to go on which had brought that country into its present deplorable situation. It was his opinion, that these things would only be increased and perpetuated by the passing of this Bill. There had been several Protestant clergymen murdered in Ireland since 1830. He certainly did not mean to say, that all those murders of clergymen had taken place in the county of Tipperary alone, but several of them did occur in that county. One of these murders took place in the county of Cork. Another of them took place in the county of Tipperary, namely, the murder of the reverend Mr. Whitty. The lives of several other clergymen had been sacrificed in this way. One of the consequences of the agitation and intimidation that prevailed was, that when the guilty parties were arrested and brought to trial, their trials turned out to be a mere nullity. In a case where certain parties were arraigned for the murder of a clergyman, one of the principal witnesses for the prosecution being brought upon the table, refused to answer any questions put to him. However, on being pressed by the Court to reply to the questions put to him, he said—"Am I to be shot?" There was no possibility of getting over this feeling, and the witness was allowed to go off the table without having given his testimony. The hon. and learned Gentleman again adverted to the case of the reverend Mr. Whitty, and of the reverend Mr. Going. The latter gentleman, though not absolutely murdered, was brought to his death by the treatment which he received. Such was the persecution that pursued him that he was hunted out of the country. He was not able to return to his glebe, and the result was that he absolutely died from the effect of the persecution by which he was assailed. This was a state of society of which the House had no idea. These were the circumstances which were occurring in Ireland, and for which no parallel was to be found in the circumstances of this country. These were the essential and characteristic differences which made it madness for that House to legislate for Ireland in all respects in the same manner as they legislated for this country. The effect of the measure before the House, when he considered the nature and character of the constituency they were about to create, would be to transfer the power and influence of these Corporations exclusively into the hands of the Roman Catholics of Ireland. The effect of the measure would not be, as his right hon. and learned Friend had described it, the transfer of this power and influence from an exclusive body into the hands of the people generally, but into the possession of a certain class and portion of the people. He alluded to the power that was exercised by the Catholic priesthood in Ireland—a power to which the Catholic population was completely subservient. The hon. and learned Member for Dublin undoubtedly possessed great influence. He to a great extent influenced the Parliamentary elections in Ireland. His influence, no doubt, had great effect; but the hon. and learned Member for Dublin, able as he was, was but an instrument in the hands of that power which exercised a paramount influence, and to which influence the whole Catholic population of Ireland was subservient. The same persons would always continue to exercise that power. Let the House consider the character and circumstances of that body. They were a class of men who did not marry, who were not bound to the State by strong and peculiar ties. They were men who gave no hostages to the State; and it was such men that exercised this paramount and dangerous power. The power which he was describing did not centre in the hon. and learned Member for Dublin. If that hon. and learned Member died to-morrow, that power would survive him; and the same power and authority, exercised by the hands of those persons, would still continue to exist in Ireland. The right hon. Gentleman who introduced the measure had stated, that there was no apprehension to be entertained of the exercise of any sinister influence in the new Corporations in Ireland. All the elections would be carried on in a peaceable and tranquil manner, and he instanced the case of Cork and those elections which had taken place in Ireland under the provisions of the 9th of Geo. 4th. He would read some information which he had received on this subject, and which he thought would show that religious feeling prevailed to a considerable extent. The right hon. Gentleman had stated, that religious feeling did not prevail in elections in Ireland—that there was no instance of religious feeling operating in elections in Ireland. Now he had lived for a number of years in Ireland, and had been much conversant with elections in that country, and he had never known an instance of an election in Ireland in which religious and political feeling had not strongly prevailed. Now, with respect to the Corporation of Youghal, let them see what chance there would be there of having the elections conducted without party or religious feeling. He had received some information respecting the state of that Borough, which he thought would throw some light upon the disadvantage of placing the qualification at too low a standard. The consequences likely to result from such a state as this measure would bring about would be to give a triumph to one distinctive portion of society. He was informed that the introduction of the Municipal Bill into Ireland, should the *minimum* standard of qualification be even 10*l*., with the exclusion of freemen, would be most fatal to the internal tranquillity of corporate towns, and would tend to keep alive that party feeling which had dismembered society, and struck at the base of national improvement. In proof of this, the writer of this communication referred to an election which took place in Youghal in 1830, under the provisions of 9th Geo. 4th. Previous to that election, Commissioners, both Catholic and Protestant, had been elected without any intrusion of party feeling, and these Commissioners administered their duties to the general satisfaction of the inhabitants. This state of things was changed by the effect of the last general Parliamentary election, which had produced a great degree of party and political feeling. The document went on to state the intolerant feeling that had influenced the Catholic party in the town at the last election of Commissioners, and the interference with their flocks which the Catholic Priests had used on that occasion. The result of the statement was, to prove that the working of the 9th. of George 4th., referred to by the Attorney-General for Ireland was no criterion by which to judge of elections that might take place under this Bill, which would be sure to be influenced by the strongest party and political feeling. The right hon. Gentleman had referred also to the Borough of Dungarvan to show that in all cases the electors of Ireland had shown a disposition to return Protestants instead of Catholics. But what was the case of Dungarvan? They had heretofore returned Mr. Lamb, a Protestant Gentleman, who was a Reformer. They had since returned a Protestant Gentleman named Jacob, but they returned Mr. Jacob because he had pledged himself to them as a Repealer. He defied them to show an instance in which the Catholic constituencies of Ireland had returned a Protestant in preference to a Catholic, unless that Protestant had pledged himself as a Repealer. It was stated by some person at the other side of the House, that there were two recent instances in which Protestants had been returned in preference to Catholics. He admitted there might be some rare cases, but he maintained that, with scarcely an exception, in Irish elections, Protestants were preferred to Catholics only when they had come forward and pledged themselves as Repealers, and in the two instances which had been stated, if the two gentlemen alluded to had not pledged themselves as Repealers, he was sure that they had given every other pledge that their constituents had demanded of them on the subject of the Irish tithe question, and in support of every other measure which their constituents wished them to support. But, throwing these considerations entirely overboard, whenever constituencies in Ireland found Protestants equally suitable to their purposes, he was not in the least surprised that they should give Protestants the preference. He did not hesitate to say that a Protestant thus elected was a much more dangerous foe to the Protestant interests and to the security of the Church than a Catholic Member professing the same principles. Whatever statements injurious to the interests of the Church, or to Protestant interests generally, were made by a Roman Catholic Member, were likely from his peculiar circumstances and feelings to be received by the House with some allowance, but this would not be the case with a Protestant gentleman, for statements he made were too apt to be received implicitly by the House. Now with respect to Dungarvan, who had been returned there instead of a Catholic? Why, Mr. Jacob, who had succeeded, he believed, Mr. Galwey. ["*No, no.*"] Well, it was immaterial; he thought it was Mr. Galwey, and he did not then precisely recollect the name of the Catholic gentleman in opposition to whom Mr. Jacob was returned; but this he was certain of, that Mr. Jacob had pledged himself to Repeal, and to the support of every measure which might be brought forward for the abolition of tithes, and of any other measure which the constituency of Dungarvan considered to be desirable. The right hon. Gentleman had said, that there was no reasonable cause to suppose that this measure would transfer power and influence from an exclusive and intolerant body, and place it in the hands of another body equally intolerant and exclusive. The right hon. Gentleman said, that if such were its effect, he would be as ready as any person to oppose it. He (Mr. Jackson) had said, that the effect of this measure would be to place the Boroughs in Ireland completely in the hands of the Roman Catholics. If they established a 10*l.* constituency in the larger, and a 5*l.* constituency in the smaller towns, no one would attempt to say, that the great majority of electors in these towns would not be the Roman Catholics. Now he would venture to say, that he would be able to state some facts that would show that the body to whom they were about to transfer this power were as intolerant as any body into whose hands this power could possibly be transferred. He had already alluded to the power which the hon. and learned Member for Dublin possessed in various parts of Ireland—a power which even that hon. Member himself had admitted was too great for any subject to possess. Let them then see in what spirit of toleration this power had been exerted with regard to the elections that had taken place in Ireland. Let them just see what were the addresses which had been promulgated to the constituency of Ireland by that hon. and learned Gentleman. He would read some passages from these addresses, and let the House mark the spirit which dictated them. "Electors of Limerick," said the hon. and learned Member for Dublin, "I address you especially. Your tried, your faithful, your efficient representatives, the Messrs. Roche, are before you. I am a witness to their excellent conduct; on their behalf I claim your undivided support. Let every man exert himself. Organise at once your political unions, your liberal clubs and committees. Let not one moment be lost. Whoever votes against the Roches, or either of them, is, I tell you, an Orange traitor to Ireland, an enemy to our common Christianity, and really a supporter of the blood-stained tithes. Hurrah, then, for William and David Roche! Hurrah for David and William Roche! No Orange Tories! The Roches and old Ireland for ever!" He (Mr. Sergeant Jackson) did not think that there was much toleration in addresses of this kind. The next passage which he would read was from an address to the electors of New Ross from the same quarter:—"Men of the surrounding parishes about New Ross, who afford a livelihood, aye, and by your industry and money make fortunes for the voters of New Ross, meet at once in your respective parishes, appoint a deputation of three or four from every parish—appoint substantial, quiet, honest men; let a deputation from every parish go into New Ross, and canvass the voters from door to door. Let them cheer men who are honest—let them put on the door of every honest voter in large letters, "Talbot for ever, and no tithes, no Orangemen!" "Let them take down and publish in their parishes the names of any of those traitors to Ireland." And the hon. and learned Member said in another passage:—"Let no man deal with them. Let no woman speak to them. Let the children laugh them to scorn. I will not believe that a Tory candidate can have any chance while there is so much honesty and patriotism in New Ross. Then, hurrah for J. H. Talbot, and no Orange Tories; no tithes!" This was a specimen of the influence which prevailed in Ireland. He need not tell the House what had occurred in Kerry. The Knight of Kerry, than whom there was nowhere to be found a more honest, high-minded, or liberal gentleman—he was denounced as an Orangeman and an enemy to Ireland, because he had dared to gainsay the will of the hon. and learned Gentleman. They all remembered the description of intimidation that had been resorted to in Kerry. At the election for the county of Kerry, it was proved in evidence that all the Roman Catholic clergy in the county, except three, had taken the most active part against the Knight of Kerry—that they had harangued against him from the altars, and used every other influence they possessed. This state of things had gone to such an extent as to render the lives and properties of the Protestants who resisted this influence utterly insecure. But the hon. and learned Member was not content with attacking those merely who did not go along with him; he would allow no neutrality. He did not state anything that he was not ready to prove. At the last meeting which the hon. and learned Gentleman had addressed in Ireland, he had used language that showed he was not satisfied with those who did not go fully along with him. This was his language:—"I would impress on the people of Ireland the fact that no man can now be neutral. Neutrality is a crime at this moment, there must be no neutrals. In Kerry I gave them a name which put an end to half a dozen of them — Cumberlanders. Any neutral must be a Cumberlander. It is a very long and a very ugly word to pronounce, and heaven knows, it is not half so ugly as the man after whom they are called. Now, there is no neutral in Kerry. Every man who does not assist us, encourages the cry for conquest, and adds to the shout for the shedding of blood. We all, then, should rally round the King's Government. Recollect, whilst they are in power we are safe." If they were determined to transfer the power and influence of the Corporation in Ireland to the hon. and learned Member for Dublin, he was of opinion that it was impossible that they could transfer it to any party who would be disposed to make a more intolerant use of it. He had accepted the challenge which had been thrown out, and he thought that he had proved they were about to transfer this power and influence into hands as intolerant as those from whom it was transferred. It was of great importance that he should call the attention of the House to these circumstances. He did not wish to make any statement hurtful to the feelings of any person; but he had a solemn duty to perform, as the Representative of a borough, which would be deeply affected by this Bill. As a Representative from Ireland, anxious to place the facts before the House he had been anxious to call the attention of the House to these circumstances. He had mentioned a few of the instances of the interference of Catholic clergymen at elections. In one county a Catholic priest named Falvey, threatened "that he would neither baptize, nor christen, nor perform the rites of the church to a man named Connor, who had promised to vote for the Knight of Kerry." In the county of Carlow, it was stated by Mr. Carrol, a witness before the Committee, that Father Walsh said at Borris chapel, that any one who voted for Bruen and Kavannagh should be refused all religious rites, and so run the risk of everlasting punishment. In Kerry, Father John O'Sullivan said at the altar that any one who would vote for the Knight of Kerry he would not prepare for death, but would let him die like a beast, neither would he baptize his children. At Clonmel one of the priests went to an elector and asked him would he not vote for his priest, who on his death-bed would administer to him the rites of the church. In the county of Waterford, Bishop Abraham encouraged his clergy to promote the opposition to Protestant candidates. At Cashel, the priest threatened Mr. Pennefather's tenants that he would welt them off the face of the earth, and that he would put the sickness on them, and that they should not dare to vote as they liked, but as he liked; and that if they did, the grass should grow at their doors, wiping his boots at the same time. In the county of Carlow, at the hustings, every priest in the county was collected, and as the electors did not know Mr. Wallace, they would point the attention of the people to him, and the witness states, "I have seen many of them in the booths making unseemly gestures towards those who voted against him." Father Maher sent for Mrs. Burgess to the vestry-room in the chapel, and there used all his spiritual power to induce her to work upon her husband, a Protestant, to make him vote for Mr. Vigors. On many occasions, the Deputy Sheriffs threatened to call the attention of the Sheriffs to the priests conduct in the booths. The hon. and learned Gentleman next proceeded to read some passages from the address of Father Kehoe, in which he says, talking of the landlords, "The Conservative landlords threaten to deprive you of your leases; they cannot do so; they dare not, though they are most anxious to wallow up to their knees in human blood; in your blood, good people, and to bring about again the Rebellion of 1798: and their object is to bring your daughters to prostitution, and your sons to beggary, but they dare not. Why? Because, before the end of next Session of Parliament a body of Poor-laws will be in force, and every tenant that any landlord ejects, that same landlord will be obliged to support. And who are these bloody landlords, these tyrannical despots? Why, they are fellows whose names were not known when your ancestors possessed the lands they now possess; but a time will soon come that will oblige them to prove the right and title they have to their possessions." Were the landlords in that House prepared to meet the consequences flowing from such excitement. Were not the powers of the Catholic clergy already sufficiently great for mischief, and would the House increase it by the present Bill? Had not the hon. and learned Member for Dublin sufficient power already? The effect of this measure must be to increase the influence which he had been endeavouring to describe to the House at least a thousand fold. He solemnly warned the House, that if they passed this measure, the connexion of the two countries would be speedily terminated, or it would have to be cemented by much bloodshed. Let the House only mark further the language used by Father Kehoe. "Well, good people, will you be true to your religion, your country, and your God, in spite of the tyranny of your landlords? In spite of Alexander and his son, the two who first obliged their tenants to pay the blood-stained tithes—who, after the last election, because their tenants voted for their conscience and their country, issued latitats, the expense of which amounted to *2l. 5s. 6d.*, to enforce the payment of sums of money not exceeding *6l.*" The men who held this language to an excitable people were very fit persons to exercise toleration, and to be invested with the power which they would derive from the measure before the House." Father Kehoe continued: "Good People—You must swear at the election that you vote for fit and discreet men to represent the county of Carlow. Is Bruen a discreet man? What Bruen? Orange Bruen—he who always opposed Catholic Emancipation till it was extorted from the Government, and his opposition could be no longer any injury to you. Is this a fit and proper person to represent the county of Carlow? This hard-hearted and tyrannical landlord? Well, what of Kavannagh? Is he a fit and discreet person to represent you? Why, he is dead! So the Dublin *Freeman's Journal* and *Kilkenny Journal* say. But if he's not dead, he's always laid up in the gout. Is this a fit and discreet man to represent you? Oh, boys, take care and do not perjure yourselves. Why, this Bruen always supported tithes, blood-guilty tithes—tithes that have murdered and bayoneted you. But I tell you, if you gain this election, before the end of the year there will be no such things as tithes; and even now a Bill for the extinction of tithes has passed the second reading of the House of Commons. It only requires a third reading to become the law of the land; for, as Peel himself said, neither the Lords nor the King dare refuse what the House of Commons pass into a law. Well, boys, Bruen and Kavannagh, I think you'll agree with me, are neither fit, decent, nor honest men to represent the county of Carlow. But I'll tell you who are honest men. Vigors is an honest man—but you know him well enough. We tried to get an Irishman, and applied to several gentlemen of the county to side with Vigors, but they all refused. An English gentleman, however, has volunteered. Mr. Raphael, High Sheriff of the City of London, who has plenty of money snd plenty of honesty. Vote, then, for Vigors and Raphael, and you'll vote for yourselves, your country, your religion, and your God." "Is there any man," continues the priest, "that will tell me that agitation has done nothing for Ireland? Where are tithes now? Although Catholics are still kept out of offices of emolument, still there is no such things as tithes now—I mean you no longer have to pay tithes, but a pitiful land tax, and we will soon put an end to that too. The Protestant clergy are now very different from what they were; they are no longer the fine gentlemen they were; but are in a sad hobble, and we'll make them in a greater hobble; for instead of bringing up their sons and daughters to be gentlemen and ladies, they will be glad to bring them up to be farmers and tradesmen, like yourselves, good people. Boys! Vigors and Raphael intend to address you after mass; and I desire that you will not leave the chapel-yard till you have heard them. These Orange Conservatives are very confident, like the devil when he tempted our Saviour in the wilderness; but we'll strike fear and terror into their hearts on Tuesday. I hope it will not be necessary for us to draw the sword, for I hope the very sight of the scabbard will be enough to frighten them. But I tell you, boys, if the Conservatives gain this election—they can't gain it—but if, by perjury, threats, and violence, they do gain it—if they do trick us out of our representatives on this, as they did at the last election, more blood will flow than there is water in the river Barrow." That was Father Kehoe's language, and the Address was delivered from the altar to his congregation. The rev. Gentleman, it appeared, delighted in agitation, and therefore the hon. and learned Member for Dublin was so anxious for the establishment of normal schools of agitation, which would no doubt be of great advantage to his party. There was a mass of evidence to show that, except in the north of Ireland, the Roman Catholic priesthood wielded the terrors of the other world to influence their followers, and the result was imminent peril to the lives and property of those politically opposed to them. If he read this evidence to the House, it would excite their utmost astonishment. He would not, however trespass further on their time, but he trusted he had sufficiently shown that the state of society in Ireland was not such as would warrant the introduction into that country of a municipal plan similar to that adopted in England. The Corporations in Ireland had their origin in remote times. They were, in fact, so many garrisons for the protection of English interests in that country. The Corporations in Wales were established with a similar view. Nobody now would think of erecting such. Why, then, was it intended to establish them anew, except to gratify the will and pleasure of those who, in their reconstruction, saw a great augmentation of the power which, unhappily for Ireland, they already possessed to too great a degree in that country.

Mr. Sergeant *Woulfe* said, it is not my intention, Sir, in the few observations which I consider it my duty to offer to the House, to follow the hon. and learned Member, who has just sat down, through the minute details which he has been pleased to give of circumstances alleged to have occurred at certain contested elections in Ireland. The facts to which he has alluded have already been laid before the House in the evidence given before the Intimidation Committee. Whether the hon. and learned Gentleman has or has not stated them fully and fairly to the House on the present occasion, I am not (without referring to the voluminous evidence of that Committee) in a condition either to affirm or deny. That the hon. and learned Member has only read to the House what he found in that evidence, I admit; but whether the facts which he has laid before the House have not been contradicted or qualified in other parts of that evidence, or whether what he has taken for granted as positive facts have not been stated upon mere hearsay, I am not at this moment, without going through that evidence, in a condition either to affirm or deny. This, however, I am in a condition to affirm, and I do most positively affirm, that several of the persons to whom the criminatory charges of the hon. and learned Member applied, had long since publicly and solemnly denied the truth of these charges, and that of such denials the hon. and learned Member could not have been ignorant, although he had not thought fit to state it to the House. With regard to several of the facts alluded to by the hon. and learned Member, they are of such a nature that, if proved to be true, I am not prepared to justify. This is not, however, the time for the trial of such issues, which would distract the House from the investigation of the question before it. I am not going to justify the excesses which are the consequence of excitement during elections. If, however, it be contended that the prevalence of sectarian feelings amongst the Roman Catholics of Ireland incapacitates them from a participation in the benefits of a Municipal Corporation Bill assimilated to that of England, I will take issue upon that point, and I will undertake to prove to the House that no such feelings or motives can be laid to the charge of the Roman Catholic body of Ireland. I say, Sir, that I will take issue upon that point, and leave it to the House to decide. I deny that in any instance since 1829 the Roman Catholics of Ireland have acted as a religious party. I defy any hon. Member to point out a single instance in which they so acted. They never pursued any object of a sectarian character, or in which the Protestants of the empire, or at least the Protestants of Ireland, were not equally concerned with them. If they had been at any time excited, their excitement had been directed to objects of imperial or national concern. They devoted all their energies to the assertion of the principles of civil and religious liberty. They have struggled with the liberal Protestants of Ireland, of England, and of Scotland, to accomplish Parliamentary Reform, and all the great consequences which it involved. It is to their excitement that you are indebted for the attainment of that Reform. I will not deny that they were powerfully excited, but the people of England have no cause to complain of that. They now enjoy the fruits of that excitement. It was directed to the promotion of purposes not peculiar to the Catholic, but common to him with every Protestant and Dissenter in the empire. Sir, I am not prepared to justify every act that was done under the influence of that excitement; nor is it necessary or material to the purposes of this question that I should. But this much I am prepared to say, and to prove, that the excitement was the result of the unconstitutional claim that was put forward by the holders of property in Ireland to dispose of the suffrages of their tenants as they thought fit. They claimed the votes of their tenants as services incident to their tenure—as part and parcel of their seignorial rights. Against this flagrant usurpation the freeholders of Ireland revolted. All the rights of property were put in force against them to reduce them to subjection. Hence the collision that took place. The excitement was reaction—the necessary and inevitable reaction of the landlords violently to force the people of the country to exercise their constitutional franchise in a manner repugnant to their feelings. How those feelings or opinions were produced is of no moment; but I again deny that there was anything in those feelings or opinions inconsistent with any principle of civil and religious liberty. The very reverse was the fact. Of the two plans before the House I need scarcely say that that proposed on this side of the House is *prima facie* entitled to the preference. This *prima facie* right might be sustained upon a great variety of considerations, but I should consider that I derogated from my self-respect as an Irishman if I placed it upon any other ground than this. The people of England and Scotland, considering a plan of municipal reform based upon popular principles to be conducive to their interest, or calculated to gratify their local pride, desired the establishment of such a plan among them, and they obtained it. The people of Ireland, considering that it would promote their interests also, and gratify their feelings, desire it likewise. I do not mean to say that the will of any portion of this empire is of necessity to prevail over the judgment of the united legislature of the whole; but I do say, that in matters of local concern it is entitled to paramount attention. I will go farther, and say, that if in any portion of the empire an institution be established which is regarded in the nature of a boon or privilege, and that the extension of it is desired by another portion of the empire, the bare will of the portion so desiring it does establish a presumptive case for its extension, which nothing short of the clearest and the strongest reason can displace. The common right must be ousted by considerations clear and cogent. These surmises will not suffice. These allegations of unfitness without proof—apprehensions vaguely or vainly entertained will not suffice. The evil apprehended from acknowledging the common right must be great as well as certain. Now, let me ask, what is the evil alleged as likely to result from the Bill of my right hon. Friend, which is to justify that which, unjustified, will be both an injury and an affront. It has been said by all the hon. Members who have spoken on the other side, that the effect of the Bill will be to transfer from the hands of the Protestants into the hands of the Catholics, the power incident to the Corporations. Sir, I maintain that the principle of the Bill is such that it is impossible that it can take the power with which it deals out of the hands of those who ought to have it, or to place it in the hands of those who are not entitled to it. I do not care whether the hands that lose it are Protestant, or whether the hands that gain it are Catholic; but this I know, that under the operation of this Bill the persons rightfully entitled to it will acquire it. The principle of the Bill is to distribute the power by a civil qualification. Wherever that qualification is, there the power will be. Wherever that qualification is wanting, there the power will not be. The Bill takes no heed as to how many of the qualified shall be found in one church or in the other. It does not attempt to maintain the balance of power between sects, but to break up the classification altogether, and to annex power to that to which by nature it is incident. Sir, this principle was recognised by the right hon. Baronet, the Member for Tamworth, on the first reading of this Bill. He acknowledged that it was neither just nor expedient, nor in modern times practicable, to distribute power on any other principle. In making this acknowledgment, he merely recognised the great principle of the Bill of 1829, which disposed of and scattered among the people all the functions of the state, by annexing them to civil qualifications without reference to creed. This is not only the principle of that great law, but the principle of a law still higher—the law of nature. Nature has annexed power to the elements which constitute civil qualification. You may do violence to nature, and separate legal power from those elements, but nature will avenge the wrong, and restore the balance. She will more than compensate for the legal power you withhold by the morbid energy of passion. Sir, there is a circumstance in the statistics of Ireland immediately connected with this point, which well deserves attention. The power which this Bill gives is not to be placed in the hands of the country at large. It is to be given to the population of the towns. Now, that population differs from that of the country at large in two material respects. In the first place, the Protestants of Ireland are principally congregated in the towns, and bear a much larger proportion to the Roman Catholic inhabitants than they do in the country at large. In some of the country districts the Roman Catholics are one hundred to one; sixty to one; twenty to one, to the Protestants. In Dublin and other large towns they are scarcely three to one, and these Protestants, again, form a much larger proportion of the householders than the Roman Catholics. Again, it is not only that the Protestants are more numerous, but the Catholics themselves are more intelligent, more independent in private circumstances, more out of the reach of physical intimidation and influences of an undue character than their brethren in the country. The Catholics in the country, to whom you have already intrusted the most important functions in the state, are, generally speaking, Catholic peasants collected in great masses, with the intermixture of few Protestants, and with little intercourse with persons of a different rank from themselves. Their intelligence and their instruction are derived almost exclusively from their own pastor. The Catholics in the towns, on the contrary, are mixed up with their Protestant brethren in all the innumerable relations of social life. They are blended with them as members of the same profession—followers of the same trade—employer and employed—customer and dealer. This, added to the superior information which always prevails in towns over the country, gives to the Roman Catholics of large towns a character which renders impossible the expedients which are alleged to have been resorted to in the country districts. So much we might arrive at *a priori*; but I rest upon the fact. Notwithstanding the repeated and vehement contests which have been carried on in the city of Dublin, and the several petitions presented to this House against the return of the popular candidates, it has never even been alleged in any of those petitions that any denunciations from the altar or unseemly exhortations were ever resorted to by the Catholic priests of Dublin. So much for the manner in which the bill distributes the powers which it creates, and I repeat what I before said, that the right hon. Member for Tamworth expressly acknowledged that they could not be distributed in any other way. The right hon. and learned Member for the University of Dublin has, indeed, referred to the conduct of James 2nd, who, in remodelling the Corporations of Ireland, took care to provide that a certain proportion of Protestants should be elected into the councils and other municipal bodies. But in the year 1829, when the right hon. Baronet, the Member for Tamworth, introduced the Catholic Bill, he did actually take into consideration in his speech the principle of such a provision; but he did so for the purpose of showing that it was inapplicable and utterly erroneous. He demonstrated that the only principle upon which the Legislature could confer political power was to attach it to civil qualification. Then, Sir, if it be conceded that this is the true and sound principle upon which the authority incident to the Corporations should be diffused among the people, how can it be made an argument against conferring such authority that the greater share of it will fall into the hands of one religious denomination or of another; in other words, that it will fall into the hands of those who are entitled to it, and ought to have it? Every argument of this kind will apply with an *a fortiori* force to every power you have ever given to the Roman Catholics of Ireland. But our dissensions, it is said, render us unfit for the discreet exercise of this power. Is it only in that way that the dissensions of Ireland can be brought to bear upon this subject; for there they are, and cannot be the consequence of a measure not yet enacted. But if our dissensions make us unfit for the powers conferred by this Bill, they render us more unfit for the more important powers which you have already given. Our dissensions were not less strong in the year 1829 than they are now. The argument proves nothing, for it proves too much. It goes to prove that the people of Ireland are unworthy of all power It goes to prove that they are fit subjects for a despotism or an absolute monarchy, and not of a free state. Where has popular power ever existed without dissension? Dissensions are inseparable from the exercise of power, and their existence is the common argument that is used by every enemy of popular rights in every portion of the world. But it is said, that the administration of justice will be rendered subject to the influence of these dissensions by the operation of this Bill. This can be only urged from a gross misconception of its provisions. The Bill gives the municipal councils the right of appointing no judicial officer whatsoever. The only persons at all connected with the administration of justice, whom the Bill gives the Corporations the power of appointing, are the sheriffs in eight towns, and the mayors in the remainder. The nomination of sheriffs in these eight towns is subject to the approbation of the Lord-Lieutenant. If any additional checks are considered necessary to prevent the improper nomination of these officers, they can be suggested in the Committee, and I have no doubt that such is the general anxiety on this side of the House, that everything connected with the administration of justice should be not only pure but unsuspected, such suggestions will be received with every disposition to give them all due consideration. Should it be found impracticable to frame provisions which shall secure beyond all doubt the impartiality of the sheriff, if elected by the town councils, that may be a reason for placing the nomination in the hands of the executive, but is no reason for refusing to establish the corporations themselves. These observations apply with additional force to the provisions of the Bill, which make the mayor a justice of the peace for a single year. It is monstrous to contend that such a power as that placed in the hands of the common council can interfere with the sound administration of justice. The mayor will be a single justice out of many. In most cases every magistrate of the county will be a justice of the peace in the corporation as well as the mayor. In all cases the mayor will be subject to the control exercised by the Court of King's Bench over all justices of the peace. In this respect the old corporations possessed a power not continued to the new—they appointed the judicial officers as well as the ministerial. I admit they abused their trust egregiously in the nomination of their sheriffs, but it is contrary to all sound reasoning to infer that, because this was done by an exclusive party who exercised all their powers for the advancement of partial interests, it will be continued by the people at large, to their own detriment, when intrusted with self-government. Sir, I cannot believe that hon. Gentlemen are sincere in their apprehensions for the administration of justice. If they were, they would seek to amend the Bill in that particular, not to reject it altogether; but they feel that the only arguments which, with any show of plausibility, they can urge against the powers of the new Corporations, are confined to that single point. As to the other powers to be conferred by the Bill, it is preposterous to allege that there is any-thing in the actual condition of the people of Ireland which renders them unfit for their enjoyment. They scarcely exceed the domestic powers of every man over his own household. They enable the inhabitants of the towns to regulate their gas-lights, and to appoint the watchman who is to drive the thief from their door at night, or the police-officer who is to prevent their pockets from being picked; and it is idle to say that Catholics, to whom you have already intrusted all the great powers of the State, are not as competent to appoint persons for these petty functions as the Protestants, even supposing that the power of appointment were given exclusively to them, and not to the Protestants and Catholics in common. The hon. and learned Gentleman resumed his seat amidst loud cheers.

Sir *Henry Hardinge* said, that the hon. and learned Gentleman who had just sat down, had addressed the House for the first time, in a praiseworthy attempt to remove all impression that certain declared allegations made against the Roman Catholics, on the subject of the exercise of their influence at elections, were unfounded. He was sorry to say, though with the utmost desire to think these allegations untrue, that his experience, as a Member of the Intimidation Committee, could not bear him out in the hope that the hon. and learned Member's view of the case was correct. On the contrary, that the allegations were well founded he believed; and this fact was to be made out by the volume then before him, which contained the report of the evidence taken before the Intimidation Committee; and he would particularly allude to a special case which had so disgusted the whole of the Protestants—he meant the address of the Roman Catholic Priest, Kehoe, to his congregation. In that case, the gentleman who was brought before the Committee as a witness was named Carter Hall. That gentleman, it appeared, had been for three Sessions of Parliament a Parliamentary Reporter on the *New Times* and *Morning Journal;* and he deposed in the most decided manner to the fact of his having taken down, in Father Kehoe's chapel, in short-hand, the whole of the address uttered by the rev. Gentleman to his congregation. He was asked,

> "Have you been in the habit of reporting speeches or debates of any description previous to your taking that address of Father Kehoe?—During three sessions of Parliament I was parliamentary reporter for the New Times and Morning Journal.
>
> "Then you have had, before you took down Father Kehoe's address, considerable practice in reporting accurately speeches that may be delivered at public meetings?—Yes, I have.
>
> "Are you persuaded that that address which is now before you; and which you reported, is an accurate version in substance of what Father Kehoe delivered at the altar to his congregation?—I am persuaded that it is an accurate report of certain expressions used by Father Kehoe on that occasion; everything that is there reported is a faithful statement of the substance of the priest's address, the sense of that address, and as near the words, upon the virtue of my oath, as I believe it possible for any parliamentary reporter to report a speech."

With regard to the hon. and learned Member for Tipperary, who was also a Member of that Committee, he (Sir Henry Hardinge) did not know whether the hon. and learned Member was in the room at the time Mr. Carter Hall was examined, but Mr. Hall stated distinctly, upon the virtue of his oath, that his report of the address was accurately given. Mr. Hall was next asked,

> "Would you, if you were put on your oath, state that this was an accurate report?—I would.
>
> "Now, although you have been asked whether you believe the substance is accurate, do you mean to say that the priest, to his congregation at the altar, made use of these words:—'There is one wretch that has done so; do you know who I mean? I mean Pat Neil, the hypocritical, proselytising apostate, lickspittle Pat Neil, and his brother?'—On the virtue of my oath, I took it down on paper the moment he uttered it.
>
> "That word 'lickspittle' is reported in three or four places, and therefore you are of opinion that you could not have mistaken that word?—Decidedly.
>
> "He is again called a 'detestable, hypocritical, apostate lickspittle, a ruffian, and a miscreant, to be held up by the finger to scorn and detestation and contempt; I ask you again whether those words 'miscreant, ruffian, lickspittle' were again used?—I am sure they were.
>
> "I understood you to say that the whole of the substance as there reported was delivered by the rev. Gentleman at the altar, and as nearly as possible the very words?—As nearly as possible for a parliamentary reporter to report it.
>
> "Here are other words which are very important, and on which I beg you will be very cautious in stating whether you are sure those words were used by the priest: 'A body of poor-laws will be in force, and every tenant that every landlord ejects, that same landlord will be obliged to support; and who are these bloody landlords, these tyrannical despots? Why, they are fellows whose names were not known when your ancestors possessed the land they now possess; but a time will soon come that will oblige them to prove what right and title they have to their possessions. Now, Sir, if you were upon your oath, are you certain that is an accurate version of that part of the address of Father Kehoe?—I am."

With this evidence before him he could not doubt, he was sorry to say, that the individual in question had, upon the occasion mentioned, spoken in these atrocious terms from the altar; and he was sure that the hon. and learned Gentleman would have been the first to condemn their use. But he was obliged to say that much of his own feelings with reference to the measure of the Attorney-General for Ireland, depended upon the state in which Ireland was at the time. If he thought that the state of that country was such that they might with safety concede the same measure of Municipal Reform to her which they had given to England, he should not have the slightest hesitation in assenting to the Bill. But when he found the state of society such as the hon. and learned Gentleman himself declared it to be, he must hesitate in giving his assent. The hon. and learned Gentleman's speech went to this—"I admit that the state of the population in the country is not so good as it is in towns. But I say that in those towns, from the connexion of Roman Catholics with Protestants, you will have such a population as will prevent the evil you apprehend from this Bill. Now, then, he was at issue with the hon. and learned Gentleman. The hon. and learned Gentleman said, that after giving the Parliamentary franchise to the counties, why not also give the municipal franchise to the towns? The hon. and learned Gentleman must be aware, that at the time that Parliamentary Reform passed for Ireland, the franchise in England was 40*s.*; while it was stipulated in the Act of 1829 that the franchise in Ireland should be raised rom 40*s.* to 10*l.* And so it was that the same fallacy ran through the speech of the hon. and learned Gentleman as through that of the right hon. the Chancellor of the Exchequer, when they declared that it would be an insult to Ireland not to grant to her the same measure of justice that had been conceded to England. Why, in the Reform Bill, they did not give to the people of Ireland that which the English were granted—instead of the 40*s.* franchise, the Irish were given but the 10*l.* franchise. [*Hear, hear! from Mr. O'Connell.*] Was it possible that the hon. and learned Member for Dublin cheered him? Why, if he was not wrong, it was that hon. and learned Gentleman who had originated the disfranchisement of those freeholders. If he were wrong, he should be most happy to be corrected; but he believed that it was the hon. and learned Gentleman who consented to the disfranchisement of not less than 200,000 of the constituency in the various counties in Ireland.

Mr. *O'Connell:* I had a petition presented, praying not to grant emancipation on those terms.

Sir *Henry Hardinge:* Was not that previous to the passing of the Emancipation Bill? It had been stated by Mr. Littleton, at present Lord Hatherton, that the clause of the Bill affecting the constituency of Ireland, and raising the 40*s.* franchise to 10*l.*, that clause was in the handwriting of the hon. and learned Gentleman. The hon. and learned Gentleman who had just sat down had defied them to show that upon any occasion the Roman Catholics had been regulated by sectarian principles when seeking to carry political objects. He was very unwilling to be in any way discourteous to the hon. and learned Member for Dublin, but he was bound to appeal to, and should read the evidence contained in the book before him, to show that that hon. and learned Gentleman advocated political objects on the ground of religious and sectarian prejudices. If he were wrong he should wish to be corrected, but willingly, certainly, he would not misinterpret the evidence in this Report. He thought it much fairer, instead of going into evidence in the absence of an individual, that, in the presence of that individual, he should state what the evidence was, and what the result of it appeared to him to be, that the hon. and learned Member for Dublin had attempted to convey political objects by sectarian means. He appealed to the House upon this point for the evidence given before the Committee. He wished to state that this was not the evidence of any obscure person; and he begged to premise, that upon the occasion in question, and before the witness was examined, he requested of the hon. and learned Member for Dublin, or some member of his family, to attend the examination, and accordingly the hon. Member for Tralee attended while the evidence was given which he was then going to read. The individual to whom he alluded was Mr. Brownrigg, who held for several years the situation of sub-inspector and magistrate of the county of Kerry. Mr. Brownrigg, on being asked,

"Do you know whether Mr. O'Connell, in the county of Kerry, at Tralee, from a balcony or platform, in front of the Commercial Reading-rooms, addressed the people on one day, and that he stated in substance, as it has been printed in the Kerry papers, 'That there was not a demon in Hell more base than the Catholic who should vote for the Knight of Kerry?'" and then these words were repeated, 'I will have a death's-head and cross-bones painted or printed on a placard, and posted on the door of any Catholic who votes for him?'"—Mr. Brownrigg, to this question, answered, "I heard these words used in substance by Mr. O'Connell." Mr. Brownrigg was then asked, "Did you hear the first part, 'That there was no demon in Hell more base than the Catholic who should vote for the Knight of Kerry?'" to which he answered, "I did." In conclusion he was asked, "Do not you think that this speech, taken in connexion with the public speech made in Dublin, was calculated to alarm any Catholic of the lower orders if he voted for the Knight of Kerry?"—Answer: "I think so."

Now he begged the House to observe

that in the words attributed by this witness to Mr. O'Connell, it was not put generally, that any voter who should vote for the Knight of Kerry should be considered worse than a demon of Hell, but that the denunciation was directed entirely to any Catholic voter who should so exercise his franchise. The hon. and learned Member's words distinctly were, that if any man of his religion—if, in short, any Catholic voter should dare to vote against his religion, and in favour of the Knight of Kerry, that he was considered for so doing baser than any demon of Hell, and that he was, as a punishment and a mark, to have a death's-head and cross-bones painted upon his door. Now he put it to the House to say, if this was not mixing up sectarian feeling with political objects. If the House entertained any doubt upon this subject, he would beg to direct attention to one other extract from the evidence lying before him. Let the House look at the treatment of that most honourable and upright nobleman, the Lord Kenmare, in the election of Kerry. A witness who had given his evidence before the Committee, was asked this question:—

"You say, that Lord Kenmare, in the first instance, was inclined to be neutral, and to take no part in the election?"—"I said so." "And that the denunciations of Mr. O'Connell in the county caused him to change his mind, and by his agent, or otherwise, to inform the freeholders, it was his wish they should support the Knight of Kerry?"—"I saw it in Lord Kenmare's own handwriting, that that was his wish." "You saw it in some document of Lord Kenmare's?"—"Yes; I did." "To whom was that addressed?"—"It was addressed to the agent, Mr. Gallwey." "Have you any copy of that letter?"—"I have." "Will you produce it?"—"This is the letter:"—

"DEAR MR. GALLWEY—You are aware, as the public must be, that it was my determination to take no part in the approaching election for the county. We are now arrived at a point beyond which forbearance is no longer possible; it is not now a matter of politics, the question at issue is, whether we are to bow our heads to a system of insolent dictation and intimidation; whether those freeholders who will not submit to be used as mere puppets by Mr. O'Connell, are to be pointed at with impunity as objects of insult and assassination, for what other meaning can be attached to the denunciation, that a death's-head and cross-bones are to be affixed to the doors of those independent individuals who will not obey his mandates! when the mob in Tralee is told, that those who will not vote as he dictates, are to be dragged from the hustings and trampled under foot. Under these circumstances I am driven to abandon my original intentions, and have to request that you will convey to my friends and tenantry my desire and most earnest intreaty, that they will vote for the Knight of Kerry. I certainly do not think that I require too much from them when I ask for one vote from each.

(Signed) "KENMARE."

Now he put it to the House to say, whether this letter of Lord Kenmare's, a nobleman not of his way of thinking—a Whig in principles—the constant advocate of liberal institutions, who was appointed by Earl Grey's Government to the Lord-Lieutenancy of the county of Kerry—a man of irreproachable character, and one of the best landlords of Ireland, did not fully bear out his position, that in the mind of the hon. and learned Gentleman sectarian feelings were mixed up with political considerations. He considered, then, that taking into consideration the circumstances in which Ireland was placed, it was impossible with safety to grant the proposed measure of Reform. The noble Viscount the Secretary for Ireland (Viscount Morpeth) in the course of his speech had stated, he believed, only one argument to show why this Bill should be passed—namely, that they ought to give a vent to certain feelings which might arise in local matters rather than promote discussions abroad. Safety-valves, the noble Viscount called these; but he begged to observe to the noble Viscount, that there were such things as annual fairs, where the people met the sort of safety-valves desired by the noble Viscount, and where the most disgraceful scenes occurred. Take the case which happened in the year 1834, when 1,000 of the Culleens and of the Lawlers met; one party attacked the other; the women accompanied them carrying stones, whilst 300 farmers stood by and saw sixteen men stoned to death. Could anybody then say, that they could dispense with propriety a municipal government? A people so imbued in factions so intolerable? It appeared that in another case quoted by Mr. Inglis, two score of men were driven into the Shannon, some drowned, and some knocked on the head, like so many dogs. This was as recent as the year 1834. Let the House reflect upon these instances, and let any man say, whether such a system of corporate election as was proposed by this Bill, could with safety be given to the boroughs in the vicinity of the place where this species of brutality and violence had been so recently perpetrated? Take the borough of Tralee in the county Kerry, which adjoined the town of Cahirsween. [Mr. *O'Connell.*—It is thirty English miles distant.] At all events, the two places were in the same county; and could anybody say, that the population of a district in which such scenes as those he had described take place, was fit for such a system of municipal election as the Bill in its present shape proposed to establish? Let the House read Mr. Inglis's book, for he was a Whig. Mr. Inglis distinctly said, that from the most accurate observation, he was fully of opinion, that a further extension of democratic privileges could not be granted to the Roman Catholics of that country, without great danger to the welfare and independence of the community at large. Even in the hon. and learned Member for Dublin's county, Protestants were attacked and ill-treated by Roman Catholics on account of their religion. Mr. Brownrigg gave the following evidence:—

"You made a Report to the Government dated 'Constabulary-Office, Tralee, January 13th, 1835,' in which you said, 'I have the honour to transmit herewith an affidavit, sworn before me this day by a most respectable gentleman, in consequence of which, and in the absence of the High-Sheriff, I have, in conjunction with other Magistrates, made arrangements for the due protection of the freeholders in question.

Extract from the deposition:—"So great is the spirit of outrage which prevails in the said town of Cahirsween and its neighbourhood, that on Sunday last, the 11th of January inst., the Protestant congregation of said town, on returning from Divine service, were pelted with filth and dirt; and even before the termination of Divine service, several riotous and ill-disposed persons came to the door of the church, and round it in every direction, and threw gravel and dirt at it; that unless an efficient police or military escort be appointed for the protection of the said freeholders on their way to Tralee, he is convinced they will be deterred by force and terror of their lives from voting at the ensuing election.

(Signed) ———

"Taken and sworn before me, this 14th day of January, 1835.

(Signed) "J. H. BROWNRIGG."

"I took that deposition."

Thus these Protestants could not venture to enter the temple of their God, and worship him after the dictates of their own conscience, without the protection of an armed force. If a people in such a state of civilization were deemed worthy of more democratic power, he did not know to what lengths the spirit of Reform would carry hon. Gentlemen opposite. The hon. and learned Member for Tipperary had lately accused him, and the party with whom he acted, of a disposition to raise a "No Popery" cry. For his part, since he first had a seat in that House, he had always voted for Catholic Emancipation, and upon that subject he well knew that he had not made half the sacrifices to which many of his friends near him had submitted; and he could assure the House, that he was far from meaning anything disrespectful either to the Irish people or to the members of the Catholic religion. From his professional experience he was enabled to say, that as far as courage and generous conduct in the various and trying situations in which soldiers were often placed, he knew of none who served their country and their King with more loyalty and devotion than the Irish — no matter whether belonging to the Catholic or Protestant religion. He, therefore, entreated the House not to misunderstand the observations he intended to make, and especially not to suppose that in using the term "Popery," he meant to speak offensively of any portion of his fellow-subjects. The hon. and learned Member for Tipperary accused him and his friends of seeking to raise the "No Popery" cry. He denied it. He maintained, on the contrary, that the Popery cry had been raised by the hon. and learned Member for Dublin and his party. He had only to refer to the volume of evidence before him to prove that in hundreds of instances the Popery cry had been raised for political objects. Could they have better proof of the fact than was to be found in the circumstance of the hon. and learned Member for Tipperary writing to a Protestant clergyman, to whom he was indebted on account of tithes, stating that at the present moment he could not satisfy his demand, as by doing so he would be sure to lose his seat in the event of an election. Could there, he asked, be a stronger proof that the Popery cry had been raised in Ireland than was offered by the fact that a Member of that House, distinguished as much for his political influence and power, as for the eloquence he poured forth upon every question debated within its walls, felt obliged to defer doing an act of justice, an act of honesty, by the fear that in doing so he would be sacrificing his seat in Parliament? He contended, that it was more than proved by the evidence before the House, that a large portion of Ireland was unfit for such a measure as that proposed; and that it was rendered so, not merely by the very lowest orders of the country, by persons who did not and could not know the possible consequences of their political career, but by men whose situation would justify the supposition that they would be more cautious in lending their aid to the cause of agitation. He called upon the House to refer to the case of Lord de Vesci. A more benevolent, kind-hearted landlord than Lord de Vesci never breathed; his estate was, in fact, the seat of happiness and prosperity, and yet upon his bringing forward his son to represent the county to which he belonged in Parliament, he became on the moment the object of the most virulent attack and vituperation. It was in evidence that a public meeting, at which the reverend Mr. Fanning was in the chair, adopted this resolution, "That we hold any person who votes for any other candidates than Laler and Cassidy as an enemy to society and his country, and as an abettor of the shedding of blood." Similar instances were unfortunately numerous. No matter how popular among his tenantry was a landlord, no matter what he did to conciliate their good opinion, if he chanced to displease a particular party in Ireland, he was at once declared unworthy of even the ordinary courtesies of society, and designated as the abettor of every wickedness and crime. He would not delay the House by entering at any length into details; but he could take upon himself to say, that in the volume before him was to be found more than sufficient proof that the measure under consideration ought, if wisdom and policy were consulted, to be delayed until Ireland enjoyed far more internal peace and tranquillity than it did at present. What was the situation in which that country stood? The right hon. Gentleman, the Chancellor of the Exchequer, observed, on a former evening, that it would argue a disregard of justice as concerned Ireland, if the same measures which were applied to England were not extended to that country. Now this, with all due respect, was a perfect fallacy. In point of fact there was no identity or assimilation of measures between the two countries. Take the very Bills then before the House—take, for instance, the Constabulary Bill. Could there be in principle anything more monstrous than that in a country which boasted of its freedom, it was found necessary for the protection of the lives of its people to keep up a police force of 5,000 men, armed with muskets, and continually provided with ball-cartridges. Nay, it was even found necessary to keep these men cooped in barracks, like soldiers, to prevent their mixing too much with the people. These precautions the state of the country particularly required, so that it was quite absurd to talk of identity or assimilation of measures between it and England. Then, again, how stood the case as regarded Assistant-Barristers in Ireland? Why those officers had a power of trying cases without Juries in Ireland which not even the Judges of England possessed. Irish Assistant-Barristers had the power of trying civil causes of ejectment, and, without the aid of a Jury, might assess damages under fifty pounds. In fact, the argument of identity of measures between the two parties was entirely fallacious; for in almost every respect different legislation had been applied to the distinct and separate condition of each. The principal thing which Ireland required was repose and a cessation from agitation. Upon the debate on the question of repeal, some sessions past, the right hon. Gentleman, the Chancellor of the Exchequer, said, that as long as the trade of agitation was kept up in Ireland, and as long as life was exposed to midnight violence, it was idle to expect that capital would be employed in Ireland, or that, as a consequence, its condition could be improved. This opinion experience had but too truly verified. From a reference to the book of evidence before him, it appeared that upon the occasion of a late election at Clonmel, in the county of Tipperary, a most respectable individual, a Quaker, who, for years previous, had given employment to nearly 1,000 souls, and who paid in wages weekly upwards of 300*l.* had, for the sole offence of voting for Mr. Bagwell, in opposition to the Liberal candidate, been attacked in the most shameful manner, and obliged for a time to conceal himself from the mob at his house. This was, unfortunately, but one instance out of many. In fact, it was the almost invariable result of an attempt to introduce capital into the country in the establishment of manufactures. Then, he asked, was this a state of things in which it would be safe to grant a measure of Municipal Reform, similar to that granted to England. He would not go into the details of the Bill, which he should have done had the hour been earlier. But this Bill, he thought, ran no risk from the amendment proposed. He thought that it would be better to place every thing in Commissioners' hands, as suggested by his right hon. Friend. The Attorney-General for Ireland ought to show the House that the Bill would work to the advantage of the lower orders in Ireland. But in what way, he asked, would they be benefitted by it? Why, the only advantage they would derive from it, was the getting rid of some few tolls. This would prove of some advantage, it was true, but certainly of far less than was expected. In Connaught, where there was a population of 1,343,000, the number of persons to be incorporated would be under 74,000; and might he not ask whether the property of these Corporations did not amount to 100*l.* the whole year? Sligo had a corporate property of 93*l.* It appeared to him that this was the poorest part of Ireland, which, in 1822 and 1831, received the largest portion of assistance; and this part of the country would receive no benefit whatever from the measure. The right hon. Gentleman concluded by repeating his conviction, that it would be better, for a time, to defer the measure altogether, but that if it were to be then proceeded with, the instruction moved for by the noble Lord near him, was as necessary as it was expedient.

Viscount *Howick* was surprised to hear the right hon. and gallant Officer tell the House, that if there were anything in the state of society in Ireland which would render it at all advisable to give to that country the benefits of an improved municipal Corporation, he for one would not be averse from the introduction of a measure for that purpose; but, he was surprised, because the gallant Officer was bound, in making such a communication, at the same time to have made out a case to show that the Bill did itself contain provisions actually inconsistent with the species of Reform which he was willing to grant. The gallant Officer had not shown that the Bill contained anything which it would be unsafe to grant to the people of Ireland; and so far from making out any such case, or fortifying the positions he took up with anything like argument, the gallant Officer limited his speech, in a great measure, to matters merely personal, and to a few other points involving party considerations, which had no relation to the present proceeding. For example, instead of really grappling with the matter at issue, he endeavoured to lead the House into a discussion as to whether or not the hon. and learned Member for Dublin was the author of the disfranchisement of the Irish 40*s.* freeholders, and whether he was the author of all the mischiefs that arose out of the Kerry election. So far from establishing any one of the principles which the right hon. and gallant Officer aimed at establishing, he had not even succeeded in showing that that improved state of society which the authors and promoters of the Bill then before the House anticipated from its working would not arise. The rt. hon. and gallant Officer had, it was perfectly true, adverted to the lamentable height to which party spirit had attained in that unhappy country, imputing it to agitation; admitting, as unhappily all must, the extent of that spirit, he must say that the rt. hon and gallant Officer had forgotten to show what an essential part of agitation those very Corporations were; he had forgotten to show how their continued existence in their present form must aggravate that party spirit which all admitted and deplored; neither had the rt. hon. and gallant officer taken any pains to show that the promoters of the measure had not done, and were not doing, all that in them lay comparatively to mitigate the evil; and of course the rt. hon. and gallant Officer left to others to show that the learned Sergeant (Jackson) near him had entirely misconceived—he would not say misrepresented—the design and tenour of the Bill then before the House. Nay, even the right hon. and gallant Officer had himself argued again, and repeated his argument, as if the intention of the Bill was, and that its effect would be, to render Magistrates elective, and to throw all the power of choosing them into the hands of those eager partisans who might be found in all parts of the United Kingdom, and in none more abounding than in Ireland. He readily acknowledged that that statement had not proceeded merely from the right hon. and gallant Officer, but had also been uttered by his noble

Friend whose speech had commenced the business of the evening. It was, as the House might remember, followed by that of the learned Sergeant, and lastly, by that of the right hon. and gallant Officer. He confessed all this did occasion him no small surprise, for the framers of the measure of last year, as well as those who were concerned in preparing the Bill then under consideration, had all of them most studiously and cautiously endeavoured to separate the administration of justice from the political functions which the town-council would be called on to execute. In the present Session the measure of last year was in that respect most carefully imitated. They found that in preparing a measure of regulation for the reform of the Scotch and English Corporations they had in many cases to deal with an exclusive Magistracy; they found there scarcely one of them which did not claim the right of appointing not only its Mayor but its Recorder and Aldermen, no Judge of the Crown, no Magistrate appointed by the Crown, having the least jurisdiction. What course did the promoters of the present measure take in preparing the Bill then before the House? They took the course that tended to produce a state of things precisely opposite to that which they found existing in the English and Scotch boroughs. At the time the former Bill was brought in they gave the appointment of the Recorder and the Police, and the Magistrates, to the Crown. They rendered that appointment perfectly independent, giving to the town-council the power of recommendation. That was the course they had adopted with respect to the Municipal Reform Bill in this country, and they proposed to do the same in Ireland; they did not propose to give to the town-councils in Ireland the right of recommendation, as that part of the English Bill had been erased; it was to stand upon grounds wholly independent of their influence or authority, and to be exercised exclusively by the Lord-Lieutenant, or other representative of the Crown. In the Bills for Great Britain, the Mayor, and the person who had filled the office of Mayor during the year preceding, were to be Magistrates, and though it might be convenient for various purposes that they might exercise jurisdiction as county Magistrates, yet it was provided that in no case their jurisdiction should be otherwise than merely concurrent with that of the county Magistrates. But he begged to call the attention of the House to this circumstance, that the present Bill, so far from giving such extent to the powers of the town-council, limited them to the choice of one Magistrate—namely, the Mayor; and if upon further examination and discussion in the Committee it should be considered by the House that they were unfit depositaries, even of so much power, he was not reluctant to acknowledge that it would be consistent, or at least not inconsistent, with the principle of the measure, that the appointment of the Mayor should be vested in other hands. Great stress had been laid on the power which the present Bill gave to corporators of appointing Sheriffs. It was said that they were officers of the first importance, an assertion that he for one felt no disposition to deny; but he begged the House to remember how great the distinction was between the appointment of Magistrates and the selection of persons to serve on juries—how much more likely the one trust was to be abused than the other. At the same time he felt disposed to agree with his noble Friend by whom this discussion had been opened, that it might be as well, if not better, to vest the nomination in the Crown. Respecting the Police, there had been on the other side a most extraordinary misconception: he could not suppose it to be anything else. He begged to ask, had the speakers on the other side failed to advert to the practice which for a very long time had prevailed—he believed it was coeval with the Corporations themselves—that of appointing the local police? Surely it was not the promoters of the present Bill that ever thought of giving them such a power for the first time. He desired to know were they not now in possession of that power? Did they not appoint the constables and the nightly watch? Wherever corporate rights had existed, the members of Corporations in almost every instance possessed such a privilege, and it was vain to deny, that for some time past at least, the *5l.* householders were likewise in possession of that species of patronage, for they elected the Commissioners by whom all nominations to the police and the nightly watch were made. For these reasons, then, he submitted that there was nothing new, at all events, in giving to the town-council the regulation of this class of functionaries; but there were other reasons of still greater cogency to which he should just briefly advert. The purposes for which local police generally held their situations were in part beneficial to the public, and in part to individuals living in the neighbourhood; accordingly one portion of the expenditure which attended this force was defrayed out of the Consolidated Fund, and the other from charges made on the locality within which the particular force was situated. As he said, one portion of the police was for the executive purposes of the State, the other for the security of private individuals from petty depredations. Now, it would be obviously unjust that any portion of the expense of protecting private individuals in Ireland from petty depredations should fall upon this country, or that the force appointed and paid for that purpose should be appointed by any but persons living in the vicinity. He must say, that he did not think this deserved anything like the importance that had been attached to it, for when hon. Members recollected that the Lord-Lieutenant had the supervision of all the police regulations, and the appointment of all the magistrates, he had every power that was necessary, and every means that could be imagined, to prevent the abuse of any right of choice which might be given with reference to the appointment of the police. Considering this portion of the argument most completely disposed of, he should now endeavour to call the attention of the House to that which formed the real point in the debate—he alluded to the jealousy which was entertained with respect to the appropriation of the corporation property. Every person who had spoken in that House concurred with the advocates of the Bill, in the opinion that the present Corporations in Ireland were not to be trusted with the management of the corporate funds. On what ground had all men come to that conclusion? On the obvious ground, that from their very constitution they were likely to abuse such a trust. But, assuredly, the same common sense and reason which led them to that conclusion would lead them to this also, that all such local matters as paving, lighting, watching, and regulating the ordinary concerns of a country town ought to be vested in those who resided in that town, and were mainly interested in its prosperity and comfort. Again, he was sure the House would agree with him that there ought to exist in all great towns some well-constituted and stable body suitable to intervene, as it were, between the great bulk of the people and the executive, on any of those various occasions which from time to time would arise,—a body capable of ascertaining and making known the feelings of the people. Was there any one in that House who would get up and gravely assert that the local concerns of large cities like Dublin, Cork, Limerick, Waterford, or Belfast, required no local regulation, and could be regulated independent of any local government? In the last year the right hon. Baronet, the Member for Tamworth, had professed himself a warm advocate for local organization, and as his speeches and address fully testified, he was of opinion "that the time had arrived when it was of the utmost importance that the attention of his Majesty's Government should be directed to the subject;" and when, at length, the Corporation Inquiry had fully disclosed the enormities of which the old corporations were guilty, the right hon. Baronet again came forward, for the purpose of informing the Legislature and the country that he was "the advocate of a good system, and that the Corporations now in existence ough to be rendered instrumental in bringing about that beneficial change." He begged the House would bear that in mind when they found the right hon. Baronet, as they now did, the advocate of a plan which most certainly would not make the existing Corporations instrumental to any purpose whatever. As for him, he, of course, concurred with the former opinion of the right hon. Baronet, and not with his present views. He thought, as the right hon. Baronet must have thought then, that the corporation of Dublin ought to be reformed and made instrumental in the working of an improved system. Surely there should be in such a city a Corporation founded upon a proper basis, when there remained to be administered a revenue of 24,000*l.* a-year. No doubt it was subject to debt, but there was still that annual sum to be managed. Why should they resort to that novel and unconstitutional experiment of nominating commissioners for the purpose, when the other and the better course was open to them? The present Bill contemplated nothing of the sort, nothing, either, that would interfere with the due administration of justice; on the contrary, the effect of the Bill would be greatly to promote the purity of that administration, for those by whom the measure was supported thought, and doubtless the House would agree with them, that it was not fitting to have the judgment-seat filled by men who had passed through the rivalry and the sharp encounters by which popular elections were generally distinguished. It was therefore thought, that however fitting it might be to enable towns to tax themselves, it was still due to the administration of justice that the appointment of all Magisrates should be vested in the Crown; and upon these grounds he did anticipate from a measure like that, inestimable benefits to Dublin and other great towns. He made that assertion generally of the great towns, in which he had no doubt that he should be borne out by the facts, but he was not anxious to confine himself to towns of that class; he should, when the Bill went into Committee, willingly go with them one by one through each of the boroughs, and candidly enter upon their respective claims to enjoy corporate rights, consenting, if necessary, to give up any which did not possess fair claims. Having now to pass to a totally different branch of the subject, he found it necessary to complain of the manner in which the Bill had been treated: it had all along been spoken of in a way that he did not scruple to designate as a gross misstatement of the object of the Bill. He begged to affirm, once for all, that the Bill was not meant to give, and would not have the effect of giving, a predominant power to a particular class; it was not framed to invest a particular class, but the many, with power. Amongst various grounds for objecting to the measure was this, that party spirit raged fiercely at this moment in Ireland, and that the hon. and learned Member for Dublin possessed an extent of sway which no subject ought to wield. He by no means denied that party spirit prevailed in that unhappy country to a lamentable extent, and he at the same time admitted, as freely as any man could, the vast extent of power enjoyed by the hon. and learned Member for Dublin, but he begged to remind the House that the possession of that power was one of the very bad symptoms which Ireland betrayed; no one for a single moment could deny, that the possession of so much influence by one individual, that power in any hand so little checked or controlled, was evidence of a state of society which a wise and beneficent Legislature would use every effort to ameliorate. The mere existence of that power was the most irresistible argument that could be adduced in favour of the measure then before the House; for in what did the influence and ascendancy of the hon. and learned Gentleman consist? Did he derive it from any Act of Parliament, or from any authority of the State? No. It was conferred on and secured to him by the free will and pleasure of the people; and if hon. Gentlemen opposite made that deference which the people of Ireland thought proper to pay the hon. and learned Member a reason for refusing to the Irish people the power of managing their own concerns, then they were bound, in common sense and reason, to carry their principle much further. They ought in that case to proceed to legislate against every principle of popular government altogether. They must deprive the Irish people of all the political power they now possessed. Now, he could understand how formerly such views might possibly have been entertained. He reprobated, indeed, and condemned, but at all events he could comprehend such policy formerly being adopted with regard to the great bulk of the people of Ireland, who were considered to have been created only to administer to the wants and pleasures of the dominant few—of those who treated them as hewers of wood and drawers of water, and excluded them from all political and civil rights. That policy, far removed from true wisdom, was nevertheless the result of a stern and cruel necessity—the necessity of maintaining a stern and cruel system of government. But the very first relaxation of the penal code was fettered with a consequence that could not possibly be avoided. That first step necessarily led by degrees to those measures of further amelioration which had followed. The whole argument of the hon. and learned Sergeant, the Member for Bandon, was directed not against allowing the people the management of their own local affairs, but against allowing them to choose Members to represent them in the House of Commons. He actually told the House that the commissioners for paving and lighting the town of Youghal were appointed and acted with a total absence of party spirit, until the noble Lord, the Member for South Lancashire, reformed the Irish boroughs. But if they would look at the consequences of refusing to pass this Bill, they would see that instead of preventing the danger hon. Gentlemen opposite apprehended from its adoption, they would increase the danger tenfold. What was it that enabled the hon. and learned Member for Dublin to wield at his pleasure the popular will of Ireland? Let them look back to the history of the last few years, and they would have no difficulty in answering that question. They had created in the minds of the people of Ireland an opinion that he alone was their advocate, protector, and friend, and that the British Legislature refused to do them justice. It was their having created this impression that gave the hon. and learned Member the power he possessed. As they could not take from the people of Ireland those political powers the Legislature had given them, the only safe policy they could now pursue was to endeavour to diminish the temptation to abuse those powers, and to diminish the influence of the hon. and learned Gentleman, by gaining back to the Government and to the Imperial Legislature that respect and those affections which never ought to be taught to direct themselves to any other quarter. This was the mistake which hon. Gentlemen opposite made: they looked only to one side of the question. They regarded the evils to be apprehended, and forgot the advantages to be obtained by the proposed change. By giving the Irish people confidence in the Government and the Legislature, they would wean their affections from other quarters. They would do more. They would teach them how to exercise with safety to the country and advantage to themselves those political powers which they already possessed. The right hon. Baronet had asked whether the House were prepared to make these towns so many "normal schools of peaceful agitation?" The right hon. Baronet was ever ready to take advantage of any careless expression which might drop from an opponent. But there was great truth in what had been stated by the hon. and learned Member for Dublin as to these towns becoming "normal schools;" and in his (Lord Howick's) opinion, instead of that being a reason for voting against this Bill, it was a reason for passing it into a law. He believed that the Irish Corporations would be "normal schools," not of agitation, but for teaching the people of Ireland the right use of the powers of self-government. He believed that they, by degrees, would create the elements of an enlightened and independent public opinion, in which only there was hope, in which only there was safety for this country. While the people of Ireland remained in their present feverish and excited state, there was no permanent safety for this country; but when by the exercise of their political powers they became accustomed to their use, and when an independent public opinion should be created, then this country would have no cause to fear the influence of the hon. and learned Member, or of any other individual. That hon. and learned Member had stated that he was willing to co-operate with the Government and the Legislature to bring to pass that which would effectually sap the foundation of his power. He (Lord Howick) perceived by the countenance of the right hon. Gentleman opposite, that he disbelieved that assertion. But were that assertion true, or were it false, the policy this House ought to pursue was one and the same. Let them take advantage of the interval of freedom from agitation that now prevailed to do real and complete justice to Ireland—let them hold a firm hand between contending parties, and he doubted not that by degrees an enlightened public opinion would be created, in which they alone could hope to find real and permanent security. Why, said the hon. Gentleman opposite, substitute one system of exclusion for that of another system of exclusion? Did hon. Gentlemen understand the meaning of exclusion? The exclusion of an insignificant minority from the municipal body was one of the necessary consequences of a constitutional form of self-government. It was a thing they could not avoid. But the exclusion of which he and his friends complained, was an exclusion resting upon the principle of self-election, which enabled parties to exercise their power for their own benefit. But how could such a principle be applied to a body consisting of a majority who were themselves interested to prevent jobbing? He should sincerely regret, if on account of religion either in the Protestant cities of the north, or the Catholic cities of the south, those who differed from the majority should be permanently excluded from the Corporations. Nor, in spite of all the attempts to excite religious animosity, did he believe that feelings of animosity had risen to such a state. But he could not help remarking, that hon. Gentlemen who put forward this objection, ought to be cautious how they revived and inflamed that religious spirit of animosity. He heard almost with disgust—certainly with a feeling of the most painful kind—the questions which in the beginning of the evening were addressed to an hon. and learned Friend near him (Lord Howick) by the hon. and learned Sergeant, the Member for Bandon. Did the House mark the emphasis, and hear the way in which that hon. and learned Member inquired whether he had appointed this Roman Catholic barrister and that Roman Catholic barrister to different situations? He was almost sorry his hon. and learned Friend answered the question. Had the question been addressed to him, he should have said—that a question addressed in that offensive manner he would not answer. He would say in this House, and everywhere else, that in matters of appointment to public situations he knew not the Roman Catholic or the Protestant. He was glad to hear the right hon. and gallant Officer who spoke last disclaim having been a party to the getting up of that most odious cry of "No Popery." But could all the hon. Members on that side hold the same language? He wished to know, had no encouragement been given by Gentlemen sitting opposite to him, to those reverend itinerants who during the recess had been going about the country preaching religious intolerance in the name of Protestantism, which rested upon the right of private judgment, and hatred and religious animosity in the name of Christianity, which was the religion of peace and charity? But he did hope that the efforts of those missionaries of mischief to fan the flame of religious animosity had not so far succeeded, as, if the House should pass this Bill, would make the election of the town-councils an instrument of rejecting the Protestant minority from all corporate offices. But if they did reject the Bill in fear that that would be the result—and on the ground that Catholic and Protestant could not mutually concur in the management of those interests which were common to them all, they would do more than those most mischievous individuals to perpetuate that most fatal and injurious feeling. He did, therefore, hope the House would consider well before it should agree to adopt the measure which had been proposed by the right hon. Baronet. He trusted, before they determined to do so, they would coolly and impartially view what would be the real and substantial difference between the two projects. He was convinced that if they would give their attention to that question they would see nothing whatever in the Bill now on the table which justified those imputations which had been cast upon it, and that by rejecting it they would, without any real or intelligible object to them, both gratuitously and wantonly inflict a deep, and, he was afraid, almost an irreparable insult, on the Irish people.

The debate was adjourned.

APPENDIX.

A better Report of the Speech of S. Grove Price, Esq. *on the Motion "that the Report on the Address be agreed to" in the House of Commons, February* 5.

Mr. *Grove Price* rose amidst considerable confusion and interruption. The hon. Member said, if the feeling of the House were expressed against his addressing it on the subject to which his hon. Friend had made such just and pointed reference, he should bow to its decision and be silent; but if it were meant to resist him by unseemly clamour and offensive interruptions, then he should persevere in vindicating his privilege as a Member of Parliament, and deliver his opinions. He would ask, was it decorous and fair for any hon. Member, or party of Members, to insult and thwart another Member, when he stood forward to deliver his free and conscientious opinions? Was this the usage of Parliament? Was this "fair play," in which Englishmen so much excelled? He would appeal not only to the honour but to the justice of the House. He would, in despite of any factious clamour, maintain his own principles, which were the principles of the British nation—the principles of liberality, impartiality, and humanity—principles that were as much opposed to dishonourable dealing as they were to reckless and unprovoked cruelty. He would, therefore, not allow himself to be beaten down by factious ejaculations, which reflected disgrace on the parties, in delivering his opinions on the present uncalled-for and unprincipled interference by our Government in the civil commotions of Spain. He did not regret his having abstained from entering into the discussion on this point last night, because he did not wish to encumber the general question of the debate on the Address with any irrelevant and desultory dissertations on an isolated subject. He thought it better to hear the arguments of the right hon. Baronet (Sir Robert Peel), on the whole subject of the Speech, than create interruption by the expression of his own views on an isolated point—a dissertation on our foreign policy as affecting Spain. He did not appear before the House as the propounder of abstract opinions, or as a mere political or moral theorist; on the contrary, he had deep experience of the actual condition of Spain for the last two years—that country which was the theatre of British glory for so long a period, to which we were bound by so many noble and interesting ties, and whose prosperity or degradation must affect us either in the way of celebrity or humiliation. But it was not merely a feeling for the interest of Spain that impelled him so much as a love for justice and humanity to raise his voice in humble but resolute dissent, not unmixed with indignation, from the style and spirit in which the barbarian policy of the present rulers of Spain had been alluded to, with so much inflation of unprincipled and unmerited panegyric. Whenever and wherever the brutal conduct of the present Government of Spain was spoken of in terms of commendation, no matter how high the quarter or great the authority might have been whence the praise might come, he, as a man with the feelings of a Christian, "considering that nothing human was alien from his consideration and sympathy," should and ever would, receive it with sturdy remonstrance and indignant disclaimer. The Speech from the Throne, and the Address, spoke of "the vigour and prudence" of the Queen of Spain. Where was that vigour displayed? It was found anywhere but in the field. If anywhere found, it was only to be found in the cruel butchery of unoffending and helpless multitudes by savage banditti, whetted on by the stimulants of authority, and inflamed by political rancour. Where was their prudence exhibited? It was not in the wise and temperate councils of a Government anxious for the perpetuity of general concord among the people, for the preservation of their happiness and the security of their liberties. It was not surely to be seen in the wild saturnalia of atrocities that marked the career of one of her favoured generals, who had marked his way with the blood of his countrymen, a man dead to all the commiseration and compunctions of human nature, whose name must go down the stream of time encumbered and blasted with the execrations of a feeling and discriminating posterity. Yes, he would not hesitate to brand with the name of monster a man who, professing himself to be a great and old patriot, would strew his road of conquest with the bodies of his own countrymen, whose success was only to be registered by the extermination of whole villages, the decimation of the people and the tears and cries of orphaned children and widowed mothers. What other name than that of monster could he give to the hoary butcher of Catalonia? "Vigour and prudence," indeed! What an abuse of names! what a mockery of justice and morals! If the Ministers of the King, or the noble Lord, whose peculiar department it is to superintend the foreign relations of the country, and who seems to look on the mighty and complex interests of Continental States with as much levity and heedlessness as he would an useless hair-dye, were to add to "vigour and prudence" the word "mercy" the climax of insult and derision would be complete; and it would fill up the measure of the bitterest and most unfeeling sarcasm that ever fell from the lips of man. Was it "vigour and prudence"—for it was either as much as it was "commiseration"—to drag forth the helpless children before the files of bristling troops, and then compel the fathers to discharge the contents of their loaded musketry into the bodies of those who sprung from their own loins? He should apologise for his warmth, but it was natural warmth, for who could feel cool and composed in the contemplation of these unmatched barbarities? What would the House or the country say when they found that these infuriated brutalities were not the sudden and giddy impulse of excited politics or of religious enthusiasm, but of a cold, predetermined and savage imitation of the demon cruelties committed at Nantes, under that ministerial apostle of democracy, Fouché? It was not enough to kill life—revenge was carried beyond the gates of death, and bodies of the victims were exposed to the most revolting indignities. Yet these were the men whom the Councillors of his Majesty represent and laud as fit objects for freedom and proper Members of a representative Government. The name of liberty was prostituted and degraded in such a cause. These men were unfit for rational or constitutional liberty. Their liberty was the dissoluteness of brigands. If they were fit for liberty, let them first introduce some defined and fixed plan of good government—some staple principles of justice—some steady code of human morals. It was true, a few were punished, because they chose to erect a constitutional stone, or some such foolery; but the great authors of these sanguinary crimes escaped. All this, no doubt, might be considered as evidence of the vigour of Government; but what had been the proof of its prudence? It consisted in the confiscation of Church property—with what view? To feed the speculating vultures of the Stock Exchanges of Europe. He should be sorry to encourage any system of representative or civil Constitution, which would repay hireling delegates from the confiscation of settled property. This would not be justice, the great and bountiful mother of civil institutions, as she is the nurse and mother of our individual connexions and relations with each other. What is justice? It is not a pure abstraction merely, defined and definable according to the fancy of every interested and rotten-hearted speculator. It is a principle that applies equally to all men, guarding, above all things, the sacred and old-fixed rights of property. It is the same whether it affects individuals or communities. It was on such grounds that he should resist the confiscation of Church property, although he would modify and so arrange it as to make it conducive to the greatest possible good. He was surprised that the hon. and learned Member for Dublin (Mr. O'Connell) did not denounce this wholesale confiscation with all that vehemence and daring with which he denounced even imaginary wrongs. He professed himself a rigid Catholic, anxious, above all things, for the maintenance of the Catholic ascendancy in its good old character. But why should he be surprised? The confiscation in Spain was for the advancement of revolution and the good of democracy, and, as such, it did not come within the range of his censure. He advocated confiscation at home, but he blinked the question of confiscation abroad. He was a good Catholic, doubtless, and wished to steer clear of any expression that might affect his Church. How loud would have been his denunciation if, the Question of Irish Tithes not intervening, this subject of the confiscation of Church property were the only question that engrossed his mind? He would now venture to allude to the hope expressed in the Address, that the Carlist party in Spain would soon be crushed by the measure now adopted against them. He could not join in that hope. He had some knowledge of Spain from information derived from friends who had been much in that country. He believed that Spain was at present divided into two great parties, of one of which the Queen's party was a mere fraction. The liberal party, as it was called, consisted of people in office, and of men who held republican opinions. Since the days of Gil Blas, the Spanish nobles were fond of salaries—they would support any Government. They were fond of luxurious ease, and full of their own importance; they were not, therefore, the men likely to make a struggle for their own independence. In the civil commotions that raged in that country of late they had been excluded from power, because of incapacity; and this exclusion rendered them still more incapable. A late intelligent French Minister had described them, with some honourable exceptions, as sunk in the lowest physical as well as moral degradation. These were the men who welcomed Joseph, and hailed the tyranny of Napoleon, and if they succeeded in crushing Don Carlos would hurl Christiana and her daughter from the throne in less than six months. That party possessed the sea-ports; it enrolled in its ranks nearly all the men of letters in Spain —that he admitted; it had also on its side all the race of speculators; it embraced a small number of the apostate clergy, a small portion of the respectable population of the towns, and the rabble everywhere. On the other hand, the Carlist party consisted not of those whom the noble Lord had described as its members some eight months ago. It was not confined entirely to the four Basque provinces. That party formed the mass of the rural population of Spain. It formed a large division in the towns; it had the clergy to a man; it had the whole of that noble order of men whom we designate Yeomen; it had also the entire order of the peasantry. He had a Return from the Secretary-at-War to Don Carlos, from which it appeared that there were, at this moment, in arms, 100,000 powerful and determined men, all anxious to support the cause of that Prince. [*Laughter.*] If the noble Viscount (Viscount Palmerston) doubted the fact, he would show him the Return. Besides their numbers, there were other reasons why the Carlist cause must succeed. He wished that the noble Viscount, before he plunged the country into difficulties, of which no man could now say, that he saw the end, had studied the character of the people of Spain. Look, he would say, at the different characters of the combating armies. The Carlists were under the impulse of four of the strongest feelings which influenced the heart of man. First of all, they were a people of a simple and pastoral race, long accustomed to their own habits and institutions. They had lived and died as their forefathers had lived and died. [*Laughter*]. He believed that he had used one word in mistake. He would withdraw the word "died," and would use the word "succeeded," in its stead. The first principle, then, on which the Carlists were nerved was one which the noble Viscount would be astonished to hear as coming from his lips; but from their long habits of independence, and from the little superintendence of their Government, they had contracted something of the sternness and resoluteness of the Republican character. They had next a devoted attachment to their institutions, which they had possessed from a period long antecedent to the earliest Charter granted to the people of this country. These institutions had all been destroyed by the tyrannical Government of Madrid. The third principle with which they were embued, was the principle of religion—they were attached to their clergy, and the massacres of Barcelona, of Saragossa, and of Madrid, were not likely to attach them to their new masters. The fourth principle was the principle of chivalry, which had induced them to rally round the standard of a Prince, who preferred to a life of ease, and indulgence, and wealth, the assertion, amidst privation, and distress, and danger, of the rights which had fallen upon him, as the descendant of the first Sovereign in

Europe, and who had chosen to share the bivouac of his soldiers, rather than disgrace and degrade himself by accepting the miserable pension which the Government of the Queen proposed to dole out to him. What was the party arrayed against him on the other side? Were they not men who, being actually dragged into the field, without the slightest interest but their pay, were unable to meet the hardy warriors of Don Carlos in fair and open fight? Were they able, he repeated, to contend with such hardy warriors? No, wherever they had met them, they had fled before them, publishing, when their retreat was accomplished in safety, fictitious bulletins of victories which they had never achieved. Within the last month, Generals Cordova and Evans had sustained from them more than one shameful defeat; and, lamentable as the statement was, it was only fit that the House should know it—the very arms which this Government had sent from England, were the first weapons embrued in the blood of Englishmen. The conduct of the partizans of Don Carlos, at the same time, was moderate and humane in comparison. For eight months they had under every provocation abstained from reprisals. When the gallant Zumalacarregui sent back two prisoners to Quesada, it was rewarded by the murder of an unarmed and wounded volunteer, and of a local Magistrate suspected of Carlism. The conduct of his opponents was marked by the most heartless cruelty. They had shot their wounded prisoners—they had massacred whole villages—they had decimated their own ranks to prevent desertion—and, notwithstanding all this, of which he could not suppose the noble Viscount to be ignorant, the noble Viscount had come down, with his bland and dulcet voice, to inform the House of Commons, that the prudent and vigorous conduct of the Queen's Government would soon restore tranquillity to Spain. He had read, he must say, with deep horror, hoping it was a forgery, a letter which had appeared in the public newspapers, and which purported to be written by the noble Viscount to a most venerable man, the Bishop of Leon. The Bishop of Leon was anxious that the Christinos of Spain should be less prodigal of blood than they had been for some months; and, to accomplish that great object of his anxiety, had written to the noble Viscount in the mild spirit of a clergyman, requesting him to exert his influence to save the lives of twenty-seven of his countrymen, who had been captured by a Spanish cruiser off the coast of Spain, whilst sailing under the protection of the British flag. What was the answer which the Bishop of Leon received from the noble Viscount? No answer, so far as the safety of those unfortunate men was concerned. He did, indeed, obtain a reply to his application, but it was in a tone more petulant, acrimonious, and flippant, than became a Minister of the British Crown. In answering that petition for mercy, the noble Viscount went out of his way to bring a charge against Don Carlos, of having prescribed to his officers and soldiers, the assassination of their prisoners as a military duty, and after doing that, proceeded to sneer at the motives of the Bishop of Leon, who, he was informed, was a pattern of that faith which he believed and professed. What could have drawn down the peculiar indignation of the noble Viscount upon that Prelate? The Bishop of Leon had ever maintained with consistency the principles of his youth. He had never abandoned his friends to league with his enemies from selfish or corrupt motives. He had not been perched upon an eminence, like a half-rusty weathercock, moveable at every gale of self-interest. He had preferred to the allurements of ease and wealth, and elevated station, an unsullied name, though in indigence and exile. What could have excited the angry feeling of the noble Viscount? Spain was a member of the great European community, and her internal tranquillity must always form matter of deep interest to the other branches of the community, inasmuch as there could not be a Revolution in one State of Europe at present without something like injury accruing to every other. But when he looked to the condition of Spain, and heard men express hopes for its peace and tranquillity, and saw nothing there but scenes of riot and disorder, he felt that he could not close his remarks upon that subject better than by reminding the House of an observation which had been made by a great master of men and manners, whose immortal works still attracted the same attention which they had attracted 2,000 years ago:—"In turbas et discordias pessimo cuique plurima vis—pax et quies bonis artibus indigent." To turn to another paragraph of the Address, nothing could be more delightful than our present friendship with Louis Philippe, the hero of the barricades, the Monarch of the glorious days of July, the friend of the Press! [" *Hear, hear.*"] Aye, there's the rub. He knew that in the opinion of some hon. Gentlemen a Throne could only be hallowed by illegitimacy. A legitimate Monarch could not have done one-hundredth part of what Louis Philippe had done. Nicholas of Russia, with all his barbaric pomp and power, dared not attempt a tenth part of the tyranny of Louis Philippe. The French were now paying the penalty of that great saturnalia of iniquity in which they had revelled during their Revolution; and such was the destruction of every barrier against despotism which then took place, that it was now found impossible to construct the fabric of a Constitutional Monarchy without making the nation previously undergo the ordeal of an absolute Oriental despotism. He wished to put the noble Viscount opposite on his guard with respect to the alliance with France, which he had every reason to believe the noble Viscount would find hollow and uncertain as a building of untempered mortar. Frenchmen never would forget the victories over them, achieved by British arms; the present generation thirsted for revenge—the next would inherit their feelings and tread in their footsteps; and an English alliance, unless for some immediate and interested purpose, would always excite the detestation of the French, because this country had hurled their idol from his Throne of power, and erected the standard of England on the heights of Montmartre. The trophies of Waterloo would not suffer the ardent sons of France to sleep. One country had been at the head of the Revolutionary *Movement* for years, as the other had been the leader of the Conservative party of Europe; and it was not to be imagined, considering the circumstances and the jealousies to which he had referred, that an alliance between France and England could be reckoned upon as stable or permanent.

The APPENDIX to a printed REPORT of the SPEECH of LORD DUDLEY STUART on "THE POLICY OF RUSSIA."—*February* 19.

COMPARATIVE STATEMENT *of the* TRADE OF ENGLAND *with* RUSSIA AND TURKEY, *in the Years* 1827 *and* 1834,

compiled from Official Returns.

	EXPORTS TO RUSSIA.								EXPORTS TO TURKEY.							
	1827.		1834.		Decreased.		Increased.		1827.		1834.		Decreased.		Increased.	
	Quantity.	Value £.	Quantity.	£.	Quantity.	£.	Quantity.	£.	Quantity.	£.	Quantity	£.	Quantity.	£.	Quantity	£.
Cotton Manufactures entered by the Yard ..	4,258,508	155,932	1,799,836	66,546	2,458,672	89,386	0	0	11,560,172	364,108	28,621,498	828,245	0	0	17,061,318	464,137
,, ,, Hosiery, Lace, and small Wares	..	23,704	..	4,212	..	19,492	0	0	..	570	..	3,546	0	0	..	2,976
Earthenware of all sorts, Pieces	234,456	2,886	80,138	1,037	154,318	1,849	0	0	403,000	2,640	455,952	6,274	0	0	52,952	3,634
Silk Manufactures	..	3,156	..	1,424	..	1,732	0	0	..	938	..	1,291	0	0	..	353
Woollen Manufactures, entered by the Piece	42,058	108,278	31,286	100,164	10,772	8,114	0	0	1,458	5,342	8,764	25,779	0	0	7,306	20,437
Ditto ditto ditto Yard	196,475	15,549	38,503	4,633	157,972	10,916	0	0	13,610	1,249	35,794	3,076	0	0	22,184	1,827
Ditto ditto, Hosiery, and small Wares	..	4,303	..	606	..	3,697	0	0	..	151	..	484	0	0	..	333
Apparel, Slops, and Haberdashery..........	..	2,446	..	1,275	..	1,171	0	0	..	2,708	..	4,348	0	0	..	1,640
Fish, Herrings, ... Barrels	1,253	1,255	1,122	1,180	131	75	0	0	1	1	1,348	1,509	0	0	1,347	1,508
Hats, Beaver and Felt .... Dozen	8	77	1	6	7	71	0	0	38	175	71	596	0	0	33	421
Lead and Shot .... Tons ..	1,851	33,014	1,258	20,591	593	12,423	0	0	37	714	46	755	0	0	7	41
Leather, Wrought and Unwrought..........	..	360	..	73	..	287	0	0	..	106	..	133	0	0	..	27
Linen, Thread, Tapes, and small Ware......	..	120	..	31	..	89	0	0	0	0	..	30	0	0	..	30
Tin and Pewter Wares, and Tin Plate	..	1,719	..	651	..	1,068	0	0	..	5,811	..	9,467	0	0	..	3,656
Tin, Unwrought ....Cwts.	8,098	31,778	1,032	3,768	7,066	28,010	0	0	5,655	22,030	1,804	6,363	3,851	1 667	0	0
Machinery and Millwork	..	930	..	8,512	0	0	..	7,582	..	92	..	1,370	0	0	..	1,278
Hardwares and Cutlery..............Cwts.	3,089	19,471	4,047	25,627	0	0	958	6,156	593	3,920	1,170	8,569	0	0	572	4,649
Iron & Steel, Wrought and Unwrought, Tons	138	2,700	614	7,689	0	0	476	4,989	2,486	21,497	7,407	53,853	0	0	4,921	32,356
Linen Manufactures, entered by the Yard ..	1,548	172	3,010	272	0	0	1,462	100	2,124	226	42,534	2.135	0	0	40,410	1,909
Sugar Refined,......................Cwts.	4,424	11,001	5,504	15,007	0	0	1,080	4,006	16,893	41,281	42,776	111,559	0	0	25,883	70,278
Cotton Twist and Yarn,................lbs.	12,070,675	933,204	16,241,363	1,037,533	0	0	4,170,688	104,329	647,094	39,694	1,989,851	109,735	0	0	1,342.757	70,041
All other Articles	..	56,915	..	81,463	0	0	..	24,548	..	18,451	..	28,824	0	0	..	10,373
TOTAL OF BRITISH PRODUCE		1,408,970		1,382,300		178,380		151,710		531,704		1,207,941		15,667		691,904

COMPARATIVE STATEMENT *of the most important Articles of* EXPORT OF FOREIGN AND COLONIAL MERCHANDISE *from the* UNITED KINGDOM *to* RUSSIA AND TURKEY.

	EXPORTS TO RUSSIA.				EXPORTS TO TURKEY.			
	1827.	1834.	Decreased.	Increased.	1827.	1834.	Decreased.	Increased.
Cassia Lignea, ... lbs.	72,867	5,384	67,483	0	6,880	64,285	0	57,405
Cinnamon, ... "	110	92	18	0	0	543	0	543
Cloves,.............. "	1,127	224	903	0	1,091	5,883	0	4,792
Cochineal, ... "	72,269	75,671	0	3,402	1,302	38,357	0	37,055
Coffee, ... "	3,102,557	960,451	2,232,106	0	1,945,842	872,298	1,073,554	0
Indigo, ... "	565,316	817,326	0	252,010	13,053	152,430	0	139,377
Nutmegs, ... "	517	0	517	0	1,799	3,636	0	1,837
Pepper,............. "	805,411	640,962	164,449	0	184,835	462,859	0	278,024
Pimento,............ "	63,576	46,134	17,442	0	6,300	13,888	0	7,588
Quicksilver,......... "	129,459	46,732	82,727	0	0	586	0	586
Rum,.......... Gallons	21,262	53,365	0	32,103	8,539	97,208	0	88,669
Sugar (Unrefined).. Cwts.	0	0	0	0	1,350	8,926	0	7,576
Tea,................ lbs.	0	0	0	0	0	9,156	0	9,156
Tobacco, ... "	3,917	0	3,917	0	0	34,484	0	34,484
Wool Cotton,....... "	1,292,877	2,687,511	0	1,394,634	0	31,310	0	31,310

COMPARATIVE STATEMENT *of the* SHIPPING EMPLOYED IN THE TRADE *of the* UNITED KINGDOM *with* RUSSIA AND TURKEY.

	RUSSIA.						TURKEY.					
	1827.		1834.		Decrease.		1827.		1834.		Increase.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
Inwards	1,905	369,486	1,519	297,013			121	21,246	134	18,688		
Outwards	1,230	245,485	1,082	217,375			69	12,035	140	20,789		
TOTAL	3,135	614,971	2,601	514,388	534	100,583	190	33,281	274	39,477	84	6,196

1. We see from the above tables, that the main feature of the export trade from Great Britain to Russia is, that it has decreased in articles which are most profitable to us, while it has increased in those which are necessary for Russia to enable her to manufacture in opposition to us; thus :—

Cotton goods have, during seven years, decreased			61/00.
Earthenware,	ditto	ditto	65/00.
Silk manufactures,	ditto	ditto	55/00.
Woollen manufactures,	ditto	ditto	18/00.

In articles necessary for her manufactures,

Machinery has increased		- - -	815/00.
Cotton wool	ditto	- - - -	107/00.
Indigo	ditto	- - - -	45/00.
Cotton twist	ditto	- - - -	34/00.

During the same time *all* our exports to Turkey, with scarcely a single exception, have increased in a most astonishing manner, to wit :—

Manufactured cotton has, during seven years, increased 132/00.

Earthenware,	ditto	ditto	130/00.
Refined sugar,	ditto	ditto	170/00.
Woollen manufactures,	ditto	ditto	335/00.
Iron and steel,	ditto	ditto	150/00.
Hardware and cutlery,	ditto	ditto	118/00.
Pepper,	ditto	ditto	150/00.
Rum,	ditto	ditto	1038/00.
(*viz.* from 8539 gallons to 97,108.)			
* Indigo		has increased	1067/00.
(*viz.* from 13,053 lbs. to 152,430 lbs.)			
Cassia lignea		has increased	834/00.
Cloves		ditto	439/00.
Cochineal		ditto	2846/00.
(*viz.* from 1302 lbs. to 38,357 lbs.)			
Sugar unrefined		has increased	561/00.

2. The export trade to Turkey has increased at a rate so rapid, that, although, in 1827, its value was only 30/00 in comparison to that of Russia, it became almost equal in amount in the year 1834, being then 87/00. With such a tendency to increase, it is difficult to foretell what extension this export trade might attain, were we to adopt such commercial regulations as, instead of repressing, might encourage our trade with Turkey. It must, also, be remembered that our trade with Turkey is carried on entirely in our own bottoms, whereas that with Russia is divided with foreign ships. The table relating to shipping shows a decrease of British tonnage employed in the Russian trade, amounting to no less than 100,000 tons. Our ships, too, go light to Russia, to fetch the produce of that country; but they go to Turkey laden with our manufactures or colonial produce. Moreover, the voyage being longer, the Turkey trade must be more advantageous to the shipping interest. Why, then, does not our Government, which professes and cannot but feel a solicitude for the independence and stability of the Turkish empire, adopt a system, which, by augmenting the riches and the power of that state,—would so powerfully contribute to those results, while it would, at the same time, promote the interests of Great Britain?

3. However strong the proof afforded by the above extracts of the increase of our trade with Turkey, it must be observed that the picture which those extracts present, is still far below the truth; of course, only those goods which are shipped on board vessels which clear for Turkey, form items in the tables; but the fact is, that a vast amount of goods is exported to Turkey, in vessels which clear for different ports in the Mediterranean and the Levant, which consequently does not appear in the tables; the same observation will apply to the table of shipping. It must also be kept in mind, that a large portion of the demand for British wares at the fairs of Germany, is from the provinces of Turkey bordering on the Austrian dominions, and that that trade, and the trade even with Asiatic Turkey, has at all times increased very considerably the apparent amount of our exportation to Germany.

4. There is a totally new source of trade, profitable to Great Britain, both as an export and import one, now already opened through the medium of the Danube, heretofore neglected or impracticable, but now encouraged by the supreme and local Turkish governments; this trade, Russia, by creating political, administrative, and financial confusion in all the countries adjacent to the Danube, is striving to crush in the very outset.

5. Formerly also, we were benefitted by a great trade with the Circassians, carried on by their own or Greek vessels, coming to Constantinople for British manufactures and colonial produce; upwards of 200 vessels, with nearly three-fourths of their cargoes thus composed used to enter into one port of Circassia; but now, Russia being in a state of war with that people, has the audacity, without the least official intimation of the establishment of a blockade, to seize and detain (sometimes confiscate) any vessel (no matter under what flag) which approaches within a certain number of miles, any part of the coast between the Kuban, and the frontier of Turkey.

6. The efforts of Russia to introduce her own manufactures where British have been formerly used, are most clearly to be seen in Northern Persia, where she has lately been sending, through government agents, printed cottons, and selling them at Tabreez, at lower prices than manufacturers, with all improvements, could sell them in Manchester, before shipment.

7. In fine, you have with Russia a decreasing trade, an increasing one with Turkey: while we have an enormous importation of raw materials (oleaginous matter and timber) from Russia, which we refuse, though no less abundant from Turkey. In the case of Russia, then, your trade decreases against the nature of circumstances, through the spirit of her policy?—in the case of Turkey, your trade *increases*, against the nature of circumstances, through the spirit of *her* policy.

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* The increase of this article may be supposed, as in the case of Russia, to be an indication of a great development of manufacturing energy;—but it is not. Russia takes the whole of her colonial produce through England in consequence of the lowness of freight, in the empty vessels that go for tallow. We, therefore, have the measure of the total importation. The increase of similar articles in Turkey is in consequence of her taking from us what she formerly took from others.

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